

American- Ukrainian Nuclear Relations

Roman Popadiuk



Report Documentation Page			Form Approved OMB No. 0704-0188		
<p>Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.</p>					
1. REPORT DATE OCT 1996	2. REPORT TYPE N/A	3. DATES COVERED -			
4. TITLE AND SUBTITLE American-Ukrainian Nuclear Relations			5a. CONTRACT NUMBER		
			5b. GRANT NUMBER		
			5c. PROGRAM ELEMENT NUMBER		
6. AUTHOR(S) Roman /Popadiuk			5d. PROJECT NUMBER		
			5e. TASK NUMBER		
			5f. WORK UNIT NUMBER		
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) National Defense University Institute for National Strategic Studies Fort McNair Washington, DC 20319			8. PERFORMING ORGANIZATION REPORT NUMBER		
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)			10. SPONSOR/MONITOR'S ACRONYM(S)		
			11. SPONSOR/MONITOR'S REPORT NUMBER(S)		
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release, distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT UU	18. NUMBER OF PAGES 89	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

*A popular Government,
without popular information or the means of
acquiring it,
is but a Prologue to a Farce or a Tragedy; or
perhaps both.
Knowledge will forever govern ignorance;
And a people who mean to be their own
Governors,
must arm themselves with the power which
knowledge gives.*

JAMES MADISON to W. T. BARRY
August 4, 1822

AMERICAN-UKRAINIAN NUCLEAR RELATIONS

Roman Popadiuk

McNair Paper 55
October 1996

INSTITUTE FOR NATIONAL STRATEGIC STUDIES
NATIONAL DEFENSE UNIVERSITY
Washington, DC

NATIONAL DEFENSE UNIVERSITY

- President:* Lieutenant General Ervin J. Rokke, USAF
- Vice President:* Ambassador William G. Walker

INSTITUTE FOR NATIONAL STRATEGIC STUDIES

- Director & Publisher:* Dr. Hans A. Binnendijk

Publications Directorate & NDU Press

Fort Lesley J. McNair , Washington, DC 20319-6000

- Phone:* (202) 685-4210 *Facsimile:* (202) 685-4378
- Director & Managing Editor:* Dr. Frederick Kiley
- Vice Director & General Editor:* Major Thomas W. Krise, USAF
- Chief, Editorial & Publications Branch:* Mr. George C. Maerz
- Senior Editor:* Ms. Mary A. Sommerville
- Editor:* Mr. Jonathan W. Pierce
- Editor for this issue:* Dr. Frederick Kiley
- Distribution Manager:* Mrs. Myrna Myers
- Secretary:* Mrs. Laura Hall

From time to time, INSS publishes McNair Papers to provoke thought and inform discussion on issues of U.S. national security in the post-Cold War era. These monographs present current topics related to national security strategy and policy, defense resource management, international affairs, civil-military relations, military technology, and joint, combined, and coalition operations.

Opinions, conclusions, and recommendations, expressed or implied, are those of the authors. They do not necessarily reflect the views of the National Defense University, the Department of Defense, or any other U.S. Government agency. Cleared for public release; distribution unlimited.

Portions of this publication may be quoted or reprinted without further permission, with credit to the Institute for National Strategic Studies, Washington, DC. A courtesy copy of reviews and tearsheets would be appreciated.

For sale by the U.S. Government Printing Office
Superintendent of Documents, Mail Stop: SSOP, Washington, DC 20402-9328
ISSN 1071-7552

CONTENTS

ACKNOWLEDGMENTS

1. BACKGROUND	1
Ukraine's Nuclear Inheritance	2
Initial U.S.-Ukraine Contacts over Nuclear Weapons	2
Kravchuk's May 1992 Visit to the White House	4
Nuclear Weapons and Economic Assistance	5
Lisbon Protocol	6
The U.S. and the Nuclear Question	7
2. UKRAINE'S APPROACH TO NUCLEAR WEAPONS	11
3. THE END OF THE BUSH ADMINISTRATION	21
4. THE CLINTON ADMINISTRATION APPROACH	25
Kravchuk Takes the Initiative	28
The U.S. Reappraisal	29
5. THE DEFACTO PROCESS: THE U.S.-UKRAINE- RUSSIA TALKS	33
U.S. Deactivation Proposals	33
U.S.-Ukraine-Russia Dialogue	35
Ukraine Moves Toward Nuclear Status	38
Ukraine-Russia Stalemate	39
The Trilateral Agreement	41
6. FACTORS INFLUENCING UKRAINE'S RATIFICATION	45
The Role of U.S. Pressure	46
The Issue of Security Assurances	48
Ukraine's Security Concerns	50
Negotiations over Security Assurances	52
7. CONCLUSION	57

APPENDIX A: Trilateral Statement	63
APPENDIX B: Resolution of the Supreme Rada of Ukraine	69
APPENDIX C: Kuchma Issues Statement on Removal of Nuclear Weapons	71
APPENDIX D: Removal of Nuclear Warheads from Ukraine	73
APPENDIX E: Map of Ukraine	77
APPENDIX F: Ukraine's Nuclear Inheritance	79
APPENDIX G: Chronology	81
ABOUT THE AUTHOR	85

ACKNOWLEDGMENTS

As with any endeavor, the writing of a book is the result of the support and encouragement of many individuals and groups. This effort is the product of such inspiration.

First, I would like to express my appreciation to the Industrial College of the Armed Forces and to the Institute for National Strategic Studies, both of which provided the initial encouragement to undertake this project.

I am also grateful to the School of Area Studies at the Foreign Service Institute of the State Department for the opportunity to institute and teach the Area Studies Course on Ukraine. The lectures in that course, as well as my public appearances throughout the country, helped me shape my thoughts in approaching the challenge of writing this study. I wish to thank the staff in the Bureau of Public Affairs of the State Department for their courtesy and dedication in arranging my numerous speaking engagements throughout the United States.

The American staff in Kiev, who exhibited a high degree of professionalism and dedication under difficult and changing circumstances, served as a source of inspiration. Their efforts were key in laying the foundation for a sound U.S.-Ukrainian partnership. The sense of history that they witnessed and helped shape demonstrated the high quality and expertise of the American Foreign Service at its best under trying circumstances. Our efforts in the field were supported admirably by the people in the European Bureau and the Ukraine Desk of the State Department, who also displayed the type of professionalism and support that eased the difficulties in establishing the U.S. presence in Ukraine.

And, most important of all, I wish to thank my wife, Judith, and my children, Gregory, Matthew, Catherine, and Mary, for the support they gave and the burdens they shared in furthering United States policy in Ukraine. They served as selfless ambassadors to schools, institutes, and other organizations in representing American culture and in reaffirming the U.S. commitment to Ukraine. They, once again, reinforced their mark on me as a dedicated and supportive family.

AMERICAN-UKRAINIAN NUCLEAR RELATIONS

1. BACKGROUND

On June 1, 1996, the last strategic missiles were shipped from Ukraine to Russia, bringing to an end a contentious issue that had marred the early stages of U.S.-Ukraine relations. In welcoming this development, President Clinton stated, "I applaud the Ukrainian government for its historic contribution in reducing the nuclear threat. . . . We remain committed to supporting Ukraine through its ambitious and far-sighted reforms and to working with Ukraine and our European partners to promote Ukraine's integration into the European community."

Elimination of Ukraine's strategic warheads was a goal that had spanned two U.S. administrations and that had been at the center of Western concerns. There were many obstacles that had to be overcome on all sides. Through a combination of diplomacy and cajoling, Ukraine had undertaken a final ratification of the START Treaty in February 1994, and acceded to the Nuclear Non-Proliferation Treaty in November 1994. And in January 1994, in the Trilateral agreement, the United States, Ukraine, and Russia laid the foundation for the elimination of the warheads that was completed in 1996 and that led to President Clinton's positive assessment.

This study examines the early history of U.S.-Ukraine relations over the nuclear weapons issue. It presents both the history of a 2-year period, 1992-1994, and posits a number of explanations as to why things developed the way they did. The goal is to establish a framework of this important period from which scholars can further proceed.

2 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

UKRAINE'S NUCLEAR INHERITANCE

Overnight, independent Ukraine found itself the third largest nuclear weapons state after the United States and Russia, inheriting both tactical and strategic weapons upon the breakup of the Soviet Union. Ukraine also declared its intention to voluntarily rid itself of those weapons. Prompted by the Chernobyl tragedy, Ukraine had made a commitment to a non-nuclear status as early as July 1990 in its Declaration of State Sovereignty which pledged Ukraine not to accept, produce or purchase nuclear weapons. This pledge was reaffirmed in October 1991, by Ukraine's Parliament, the Verkhovna Rada. The Rada declaration stated that Kiev would get rid of its weapons in the shortest time but made reference to numerous considerations—including technical, financial and environmental—that would need to be addressed.

The Ukrainian nuclear arsenal included 176 missiles located at two sites, Khmelnitsky and Pervomaysk. There were 130 liquid fueled SS-19 missiles tipped with 6 warheads each based in Khmelnitsky and Pervomaysk, and 46 solid fuel SS-24 missiles with 10 warheads each at Pervomaysk. In addition, there were about 3,000 tactical nuclear weapons. Approximately 600 air launched cruise missiles, as well as approximately 42 strategic bombers were based at Uzhin and Prilyki.

INITIAL U.S.-UKRAINE CONTACTS OVER NUCLEAR WEAPONS

Early in the developing relationship it became clear that the question of nuclear weapons in Ukraine, as well as in Belarus and Kazakhstan, was going to be of major concern to Washington. The issue emerged after Ukraine's declaration of independence from the crumbling Soviet Union on August 24, 1991.

When Chairman of the Rada Leonid Kravchuk visited Washington in September 1991, Ukraine's nuclear weapons were a primary topic. Kravchuk favored central control of the nuclear weapons but voiced reservations about shipping them to other republics for dismantlement. Dmytro Pavlychko, then chairman of the Ukrainian Rada's Foreign Affairs Committee, who accompanied Kravchuk, spoke of the need to destroy the weapons in Ukraine, a view that Kravchuk shared. Earlier in the month, Russian Republic

President Boris Yeltsin had stated that the missiles in Ukraine should be transferred to Russia. These statements foreshadowed the problems that were to arise between Ukraine and Russia over the nuclear weapons.

In the wake of Ukraine's December 1, 1991, independence referendum, nuclear weapons were again a major point of bilateral discussion. During his December visit to Kiev, Secretary of State James Baker heard Kiev's reaffirmation of its intent to ratify START, accede to the NPT, and to ratify the CFE Treaty. In addition, Secretary Baker received assurances that the nuclear forces would be under a central CIS (Commonwealth of Independent States) command, thereby precluding unilateral Ukrainian control.

In the early stages, things appeared to be moving without problems. Kiev agreed to give up its tactical weapons to Russia for dismantlement in keeping with the Alma Ata agreement, which was signed on December 21, 1991, during a CIS meeting in that city. The agreement also committed all four nuclear republics—Ukraine, Russia, Belarus and Kazakhstan—to the position that any use of nuclear weapons would have to be agreed upon by the four countries' leaders. It also committed Kiev to join the Nuclear Non-Proliferation Treaty (NPT) as a non-nuclear state. And at the Minsk CIS meeting of December 30, 1991, Kiev committed itself to dismantle its strategic nuclear forces by the end of 1994. By early May 1992, Kiev had fulfilled its pledge on the tactical nuclear weapons, thus actually beating the July 1, 1992, deadline set by the Alma Ata agreement.

However, Ukraine's temporary halt of shipments of tactical nuclear weapons to Russia in March-April, 1992 raised much concern in Washington. In announcing the suspension on March 12, Kiev explained that it had no guarantee that the tactical weapons shipped to Russia would be destroyed. Furthermore, Ukraine was concerned that the weapons might wind up in the wrong hands. This decision by Kiev was doubly troubling for the United States since in a 20-minute phone conversation on February 27 with President Bush, Kravchuk had stated that Ukraine would meet the goal of withdrawing all tactical nuclear weapons. After an agreement was signed with Russia on April 16 forming a joint commission for monitoring the transfer and dismantlement of the tactical weapons, Ukraine resumed the shipments. Washington's

4 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

anxiety about the nuclear issue was expressed by Secretary Baker, who warned about the difficulty of providing economic assistance to the former Soviet Union if the commitments on nuclear issues were not fulfilled. However, neither Ukraine's action nor Baker's comments stopped the Bush administration from certifying to Congress on April 8 that Ukraine met the conditions for eligibility to receive Nunn-Lugar assistance to dismantle its nuclear weapons. The certification was based on Kiev's assurances and practices.

KRAVCHUK'S MAY 1992 VISIT TO THE WHITE HOUSE

In the wake of the March stall by Kiev on the tactical nuclear weapons withdrawal, the high-level interagency team of Ed Hewett of the NSC, Paul Wolfowitz, then Undersecretary of Defense, and Dennis Ross of the State Department traveled to Ukraine in April in an effort to broaden the relationship and to move it beyond the initial concerns over nuclear weapons. This visit helped to set the stage for Kravchuk's successful May 6 visit to the White House. During the visit, Kravchuk stated his commitment to ratify START, to eliminate the strategic nuclear weapons during the 7-year period as mandated by the treaty, and pledged that Ukraine would join the NPT as a non-nuclear state in the shortest possible time. The administration was not happy with the NPT formula since it wanted Ukraine to commit itself to a specific short-term date, and the Ukrainian version left that open.

The United States had hoped to persuade Kiev to adhere to a shorter timetable for elimination of the weapons, especially in view of the fact that Ukraine had pledged to rid itself of the strategic weapons by the end of 1994 under the Minsk agreement. Kravchuk also indicated that, while the warheads would be removed and shipped to Russia for dismantlement, Kiev was reserving the right to hold onto some of the missiles, particularly the advanced SS-24s, to use them for commercial purposes and to remove the temptation for Russia's redeploying the missiles.

In addition to the nuclear understanding a number of agreements were reached. Ukraine walked away with a firm U.S. commitment to a bilateral partnership, a trade agreement, extension of OPIC activities into Ukraine, a Peace Corps agreement, \$110 million in agricultural credits, an agreement on cooperation in

environmental protection, technical assistance in housing, a health partnership program, defense conversion advisers, plans for a business center and a commitment to open a science and technology center in Kiev. A declaration on U.S.-Ukrainian relations was released by the White House on May 6 pledging both sides to cooperate in political, economic, and security interests. It concluded by stating that the United States and Ukraine "have laid the foundation for a strong and special partnership." After the East Room signing ceremony of the trade agreement, the President stated, "Ukraine's future security is important for the United States and for stability in Europe" and that the United States hoped to establish "the closest possible political and cultural ties between independent Ukraine and the United States."

Ukraine felt satisfied and, coupled with the announcement of the removal of the last of the tactical nuclear weapons from Ukraine to Russia during the visit, the beginning bilateral steps were strong and held out the prospect for greater progress. Prior to his meetings with the President, Kravchuk and a delegation of Ukrainian businessmen brought along to stimulate U.S. trade in Ukraine had had a working breakfast at Blair House with Commerce Secretary Franklin. These meetings all appeared to show that the Ukrainians were going to be moving forward in a serious fashion. Indeed, the President subsequently wrote to Kravchuk that their meetings were "successful in laying the foundation for a close partnership."

NUCLEAR WEAPONS AND ECONOMIC ASSISTANCE

Despite Baker's April comments, there was no attempt to link economic and nuclear issues. In the interagency meetings leading up to the Kravchuk visit, there had been no discussion of tying economic assistance to the nuclear weapons. Despite Baker's frustration, President Bush's National Security Advisor Brent Scowcroft believed that Ukraine would eventually cooperate on the nuclear issue and, therefore, economic assistance was not tied to the nuclear issue. At most, a message that was often driven home to the Ukrainians both publicly and privately was that the nuclear stalemate could hamper Western investment in Ukraine for fear of the political uncertainties this could create.

6 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

Some of the Ukrainian misperceptions stemmed from the perception that some types of assistance depended on START ratification, including the Nunn-Lugar funds for dismantlement of the warheads. Funds for other programs were never tied to the nuclear issue. In December 1992 Pavlychko received the U.S. proposal outlining the funds that were contingent on the START process and the separate funds that the United States was examining to help Ukraine's financial situation. The latter support depended on Ukraine's undertaking some economic reform. Scowcroft viewed the rocky start of the relationship as the result of the United States' overemphasis on the nuclear weapons, but equally important, he believed, was a Ukrainian government under Kravchuk that was geared toward preserving the old nomenklatura's prerogatives rather than on working with the West on economic reform.

LISBON PROTOCOL

With the tactical weapons withdrawn in early May, the strategic weapons were the next hurdle. The United States had sought to keep the strategic nuclear weapons under Moscow's control, thus making Russia responsible for dealing with the other three nuclear republics in dismantling the missiles much as they had arrived at a formula for the tactical weapons. By April, 1992, it had become obvious that this plan would not work, as Ukraine and Kazakhstan, unable to work out their differences with Russia at CIS summits, began to insist on equal treatment with Russia. The growing conflict over the nuclear weapons had been magnified by Ukraine's aforementioned temporary stoppage of tactical shipments to Russia in March. In addition, friction over the strategic forces was growing. Kravchuk was upset by Russian President Boris Yeltsin's unilateral call in January, 1992, for further U.S. and Russian reductions in nuclear warheads. Kravchuk, believing that the weapons were under central CIS control for the four former republics, had assumed Ukraine would be consulted on the Russian initiative. The United States, therefore, proposed making the former republics a party to START, but with their commitments to join the NPT regime and become non-nuclear states. For Ukraine, this was an important step for separating itself from Russia and positioning itself as an independent country that should not be

viewed through a Moscow prism. Thus, at the end of May 1992 Ukrainian Foreign Minister Anatoliy Zlenko signed the Lisbon Protocol, making Ukraine part of the START I process and, furthermore, obligating Ukraine to give up all its strategic missiles, not just the ones covered by the START Treaty. Ukraine also pledged to adhere to the Nuclear Non-Proliferation Treaty. Throughout this whole period, Ukrainian officials also gave private assurances of Ukraine's desire to live up to its nuclear commitments. But when it came to the actual implementation of these promises, Ukraine balked.

THE U.S. AND THE NUCLEAR QUESTION

For the United States, the nuclear issue had global and regional, as well as bilateral significance. It became an issue of Ukraine's credibility to abide by its public and private commitments. Having so often stated its intention to ratify, Kiev's seeming delaying actions came to put into question Ukraine's overall reliability as a diplomatic partner. In addition, Ukraine appeared at times to be backtracking on agreed positions. Thus, in his May 1992 meeting with President Bush at the White House, Kravchuk switched from Ukraine's commitment to rid itself of the strategic weapons by the end of 1994, as agreed at the Minsk CIS summit, to a pledge to get rid of them in a 7-year period—which was the actual allowable time period under the START I Treaty. Ukraine's diplomatic footwork was also evident regarding the issue of the SS-24 warheads. At times, Ukraine claimed—rightly—that the SS-24 warheads were not covered by the START I Treaty and, therefore, would not be involved in any dismantlement. This position went counter to a number of agreements that Ukraine had entered and that were considered legally binding. During the same May, 1992, visit to the White House, Kravchuk gave President Bush a commitment that Kiev would dismantle all its nuclear weapons within seven years. The U.S. Senate, in ratifying START later in the year, noted Ukraine's commitment to President Bush and stated that any violation would be a violation of START I. Furthermore, in late May, 1992, in becoming a party to the START Treaty with the Lisbon Protocol, Ukraine had pledged to eliminate all its nuclear weapons.

8 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

The ratification itself would not solve the intricate nuclear issue, since there were numerous technical and legal issues regarding dismantlement that needed to be worked out and, indeed, a separate series of talks known as the Safety, Security and Dismantlement talks (SSD) under the supervision of General William Burns, were proceeding simultaneously as the discussions on START ratification. These technical talks were plagued by a number of issues that Kiev considered important and that revolved around the interpretation of the START Treaty and to which the Nunn-Lugar funds, earmarked for dismantlement, could properly be put to use. Ukraine was concerned about using Ukrainian resources in the dismantlement process, such as railcars for transportation, and for using empty missile silos as storage facilities rather than blowing them up which Ukraine contested would damage surrounding agricultural lands. Another concern Kiev had was its desire to seek to find ways by which it could profit from the liquid missile fuel by putting it to commercial use. A final SSD agreement was not reached until late 1993, thus underscoring the complex nature of the dismantlement process. But an early legal ratification could have placated Washington and reaffirmed Kiev's standing as a serious international actor.

There was also a geostrategic concern on the part of the United States. With so many weapons scattered throughout the four former republics, it was feared that they could become easy targets for acquisition by terrorists. After a November 1992 visit to Ukraine, Senators Nunn and Lugar cogently reported that while the threat of a nuclear strike on the United States was at an all-time low, the threat of an unauthorized launch or a nuclear accident had increased. (Russia was able to both play on and add to these concerns.) Their report further stated, for example, that during the Moscow portion of the trip, they had been warned by Russian military officials that the safety and control of the nuclear weapons in Ukraine was "deteriorating." As a result, Russia warned that there could come a point at which Moscow would no longer guarantee the weapons' safety.

The Nunn-Lugar report also listed the nuclear weapons issue in all four countries—Russia, Ukraine, Kazakhstan, and Belarus—as the top priority for the United States. This attitude reflected the strong congressional interest in the issue, and must be considered

as one of the factors both prompting and reinforcing the general position of the Bush administration toward the question.

There was also concern that Ukraine's failure to fulfill its promises could unravel the whole START Treaty as well as endanger the START II Treaty, which was eventually signed with Russia in January, 1993. Russia's Parliament had stipulated that there would be no exchange of the instruments of ratification for START I until the other nuclear republics acceded to the NPT as non-nuclear weapon states. And START II would not come into force until START one had been successfully resolved. It was also feared that Ukraine's reluctance could set the precedent for increased nuclear proliferation and could have jeopardized the NPT regime which was due for review in 1995. But above all, Washington believed that Ukraine's retention of nuclear weapons ironically endangered Ukraine's own long term security and stability, rather than enhancing it.

Ukraine exhibited a false sense of security based on the presence of the 176 nuclear missiles on its territory. There was thus an inordinate amount of attention placed on the nuclear weapons by Kiev itself, without United States prompting, and Kiev sought to use the issue to its own advantage. Ukraine was lax in understanding that security involves not only an external factor but an internal one as well.

Furthermore, Ukraine did not have operational control of the missiles—what it called administrative control, which included appointment and dismissal of officers with CIS agreement, supply of the strategic force personnel with salaries, housing, and food, and the right to block the use of weapons from Ukrainian territory. Operational control was in the hands of the CIS, including Ukraine, but with Russia having the actual power to launch. Only Russian troops had direct access to the missiles.

During their November 1992, visit to Kiev, Senators Nunn and Lugar learned from Defense Minister Morozov one of the more candid views of Ukraine's "veto" over Russia's possible launch of Ukrainian missiles. He claimed that Ukraine had no operational control but that an organizational control over the non-employment of the weapons had been put in place. President Kravchuk would have to give an order that no launch could take place, then the troops would have to disobey the Moscow order for a launch. He stated that this was a political and not a technical system, but, as he

10 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

concluded, it was not clear which orders the troops would obey. More importantly, while Morozov did not say so, the Russians apparently had disabled the missiles. Furthermore, the Russians had made it clear that the cruise missiles and gravity bombs had been disabled, so Ukraine did not have the potential to use them.

The danger of the missiles leaking and spreading radioactivity posed a concern in the West, particularly given Kiev's and Moscow's initial inability to work out a maintenance regime. Thus Ukraine, which had, of course, experienced the nuclear disaster of Chernobyl, could risk its future and that of the surrounding region with these missiles.

2. UKRAINE'S APPROACH TO NUCLEAR WEAPONS

There were many reasons for Ukraine's inaction on the nuclear front, but one of the fundamental problems was the multiplicity of confusing signals that emanated from its own parliament. While the executive branch maintained its public commitment to fulfilling Ukraine's non-nuclear pledge, in the Rada there were various competing trends. The dominant position was the commitment to abide by Ukraine's promise of becoming non-nuclear but with the caveat that certain prerequisites would first need to be met. This was in line with the Rada's declaration of October 1991.

But there were different variants of this position, such as the view of some parliamentarians that Ukraine would need to retain the weapons for the near future as a tool to foil perceived Russian aggression, but did not exclude eventually giving them up. To further complicate the picture, supporters of ratification posited at times the view that even with START ratification, Ukraine may not necessarily accede to the NPT in the near future. There was talk, for example, by Defense Minister Morozov that Ukraine may require a unique status, meaning membership in the NPT with nuclear weapons for some period of time. There was also the small vocal minority spanning nationalists, on the one hand, who saw the weapons as security against Russia and wanted Ukraine to remain a nuclear state and conservative forces, on the other hand, who viewed the missiles as a means for helping to re-establish links with Moscow. There were also factions that supported retaining the more advanced SS-24 missiles for some period of time or of rearming them with conventional warheads. What made the overall picture even more confusing was the fact that parliamentarians would either attach themselves at different times to any of the above points of new or up the ante on various preconditions that needed to be met before ratification could take place. The latter was

12 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

particularly true regarding the issue of security assurances. The need for the West to meet certain prerequisites for START ratification, however, was the mantra of both the executive and legislative branches. The most important prerequisites included security assurances, compensation for the components of the warheads both strategic and the already shipped tactical weapons, and financial assistance for dismantlement.

The executive branch, however, was not immune to much of this confusion. In June 1993, Prime Minister Leonid Kuchma stated before the parliament that, while Ukraine should ultimately become a non-nuclear state, Ukraine may have to temporarily retain the more modern SS-24 missiles. Although Kuchma spoke in his capacity as a Rada deputy and not as Prime Minister, his statement did underline the divisions in the Ukrainian polity. These contradictory goals and divisions within the government only compounded the confusion of what was the ultimate goal of Ukraine and left a great deal of frustration and confusion in Washington.

In these confusing cross-winds, the Rada became a convenient whipping boy for Kravchuk. Kravchuk and his ministers consistently voiced their support of START but pointed to the parliament as the obstruction. Washington's position was that the United States should not get involved with negotiating with parliament and that Kravchuk should take the leadership in dealing with his parliament. But there were ample complaints from the Parliament against Kravchuk. Former Rada Defense Committee Chairman Valentyn Lemish complained in July, 1993, that Kravchuk's advisers had submitted poorly prepared documents the previous December to the Rada. Because they were not properly thought out, they left much work for the Rada to do, thus delaying the START debate process.

But on this issue, as on others, Kravchuk let the parliament define the debate and, as a result, START became a political football for the Rada, with no one seemingly in control. More cynical observers viewed this as a good cop, bad cop approach by which Kiev sought to see to what extent it could derive as much as possible from the United States. If that indeed were the case, then it was a game that had gotten out of hand. But it is more likely that weak leadership was the case. Kravchuk, ever cautious, tended to stand back and let events unfold rather than try to shape them. In

late December, 1992, a senior Foreign Ministry official said in reference to Kravchuk and the Parliament, "Kravchuk does not understand the forces at play." Earlier that month a report from the Embassy had warned that, despite official assurances, it was unlikely that START would be ratified during the mid-December plenary session. Parliament was quickly asserting its power and wanted a closer examination of the issue. Many deputies believed that Ukraine was moving too quickly and not receiving adequate security assurances or financial assistance in return. Thus, Kravchuk, who himself estimated the Rada opposition to START at some 40 deputies in the fall of 1992, had seen this grow by the spring of 1993 to a majority of deputies either opposing or favoring ratification with some conditions.

Therefore, while Kravchuk from the outset was promising ratification, the signals from parliament were quite different. The Rada declaration of October, 1991, had given the first warnings when it spoke of the need to address the technical, financial, and environmental issues associated with dismantlement. With the United States Senate moving on START ratification in September, 1992, the first strong hints of the problems that the United States was going to encounter with Kiev were beginning to crop up. In his meeting with Scowcroft that month during a visit to Washington, then Security Service Chief Yevgheny Marchuk claimed that there was a move on in parliament to retain the 46 SS-24 missiles and to rearm them with conventional warheads. He claimed that Kravchuk was opposed to this effort.

Late that month, Pavlychko warned that the Rada would consider adding amendments to START ratification. He claimed that deputies were concerned about such items as these: economic assistance for dismantlement; conducting dismantlement in Ukraine; disposal of fuel in an ecologically safe manner; Ukraine's right to sell the HEU extracted from the warheads; and the need for security assurances. He claimed that a political groundswell was developing in this direction.

The obstacles that the Rada would present became evident on October 28, 1992, when it refused to accept the military doctrine submitted by Defense Minister Morozov. Foreign Minister Anatoliy Zlenko tried putting a positive spin on the parliamentary action, claiming that no final decision had been made and that there were issues such as military training that needed to be refined and

that the doctrine was thus postponed for further discussion. But the concerns were more substantial. The doctrine stated that Ukraine would be a neutral, non-aligned and non-nuclear state. The wording raised some immediate concerns among deputies, who questioned how Ukraine could follow this path and yet balance off any threats from Russia.

The next day, General Burns, the U.S. SSD negotiator in town for another round of talks, met with a senior government official to discuss the Rada action. The point was made that top Ukrainian officials had all along assured the United States that although there was parliamentary opposition, they believed that START would be ratified. They now claimed that the Rada action on the military doctrine was a surprise even to them and that the tide seemed to have changed dramatically over the previous three days. They pointed out Parliament's concern over the growing political problems that Yeltsin was encountering in Russia as well as the deputies' concern that the United States was interested in Ukraine only because of its nuclear weapons.

According to some Ukrainian officials, two elements led to the vote against the doctrine: those in parliament who wanted to force Ukraine into a military relationship with the CIS and, on the other hand, radical deputies who opposed Ukraine becoming a non-nuclear state. The former considered a nuclear Ukraine would need to rely on Russia for maintenance of the warheads and other administrative support and thus be a step toward military and political re-unification with Russia.

Parliamentarians also pointed out that it had taken the United States Senate over a year to ratify the START agreement so it was unfair to keep pressuring Ukraine to act quickly. Various issues such as the costs of dismantlement, environmental impacts, and the social impact in terms of the jobs that would be affected and other related factors all had to be examined. Deputies were wont to point out that, as a budding democracy, Ukraine had to adhere to new rules, regulations, and procedures and that it was ironic that the United States would seek to short circuit this democratic process by demanding a mindless ratification. But there was a practical aspect involved here as well. With no staff and the Foreign Ministry's resources limited and strained already, the deputies were basically left on their own, without the necessary expertise to analyze the START documents. This only served to prolong the process.

There was, therefore, the additional frustration that those dealing with the nuclear issue were not fully aware of the actual United States position. On the crucial issue of HEU profits, for example, Rada Deputy Ivan Zayets was not aware of the United States position supporting the Ukrainian stance of Kiev's getting the value out of the warheads—information that should have been routinely provided by the Ukrainian Foreign Ministry. Indeed, it had in fact appeared in the press. In order to ensure that the Parliament was well briefed on Washington's views, experts were dispatched to Kiev to meet with various Parliamentarians and other officials to inform them at a quiet level of what the United States was willing to do for Ukraine, particularly as regarded the technical aspects of support for dismantlement.

In addition, Parliament faced issues that it believed were far more pressing, such as the economy. The everyday economic crisis of Ukraine—both purely economic in terms of inflation and the economic downturn as well as the political problem between reformers and those who would maintain the status quo—kept parliament embroiled in endless intramural squabbles and conflict with the executive. And even this turmoil was overshadowed by internecine political squabbles involving President Kravchuk, Prime Minister Kuchma, and Parliamentary Speaker Ivan Plyusch. [The three competed for the presidency in 1994, with Kuchma emerging as the victor]. And, while nothing was resolved in the political squabbles save for the resignation of Prime Ministers Fokin and Kuchma in 1992 and 1993, respectively, there was not much room for dealing with anything else. Sound economic policy and START ratification took a back seat to these squabbles. Intertwined in these debates, was the question of defining Ukraine's basic foreign policy principles and military doctrine, including the notion of Ukraine's national interests and identifying who may be Ukraine's enemies. Parliamentary debate over these issues extended over a year, and it was not until fall 1993 that Ukraine voted its foreign policy and military doctrines. The resolution of these issues had a direct bearing on START, thereby further compounding the delay over ratification. And everything was overshadowed by Kiev's concerns about Russia, a concern which logically became intertwined with the nuclear issue.

Given the history of colonization and exploitation that Ukraine has experienced at the hands of Moscow over the centuries, it is no

16 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

wonder that Ukrainians of all stripes make almost every decision—domestic or foreign—with one eye aimed at Moscow. It is natural also for Ukrainians to analyze external relations with a foreign state with a view to how Moscow may be manipulating that relationship against Ukraine. In this context, nuclear weapons fast became a source of psychological security for Ukraine. Whether rightly or wrongly, the weapons became a psychological support for Kiev in its bargaining with Russia in all fields—economic, political and military.

Many Ukrainian leaders viewed their nuclear weapons as a short-term insurance policy against Russia. Well aware of the fragility of their state, and feeling the pressure of Russian claims against their territory either directly—as expressed by the now defunct first Russian parliament—or indirectly as concerns the disposition of the Black Sea Fleet, Ukrainian leaders openly spoke of the need for Ukraine "to get on its feet." In addition, there were fears that instability in Russia could overflow into Ukraine. During 1993, President Yeltsin was at odds with the Parliament, which eventually led to a bloody show down with government forces storming the Parliament in October. The speaker of that now defunct parliament, Ruslan Khasbulatov, had made claims against Ukraine's territory.

In early 1993, Vycheslav Chornovil, one of the founders of the RUKH (Popular Movement of Ukraine) reform movement, argued that ratification of START should not take place at least until the spring. (Ratification with provisions took place in November. The Provisions were rescinded in February, 1994.) He explicitly stated that the Ukrainian government was using the nuclear weapons as a guarantee against Russia and to help Ukraine through the winter without Russian economic pressure. In the spring, he surmised, the economic situation with Russia would be better and then ratification could proceed. Of course, ratification did not take place but Chornovil's admissions became symptomatic of the Ukrainian concerns.

Pavlychko argued along the same lines, claiming that Russia needs time to adjust to the realities of an independent Ukraine and that Ukraine needs time to create the structures of a viable state. During this process the nuclear weapons would help Ukraine gain the time for both sides to benefit. In addition, as a principal figure in the 1991 declaration for a non-nuclear Ukraine, Pavlychko had

to cover his political flanks in order not to look as if he were selling out Ukraine's security in view of Russian and United States demands. As a result he was one of the advocates of the fourteen year scenario. In the first seven years, with START ratified, Ukraine would dismantle the SS-19's. In the subsequent 7-year period, Ukraine would dismantle the SS-24's. At the end of the 14-year period Ukraine would then adhere to the NPT. What this framework would provide for Ukraine would be the time to develop economically and politically—the nuclear weapons being an important factor in equalizing the relationship between the two countries. At the end of this 14-year period, Pavlychko surmised that Russia would have adjusted to the realities of Ukrainian independence and accept Ukraine as an equal state.

But there was also a more practical consideration at stake for many of the Rada deputies. Having given up the tactical weapons, Kiev expected that it would become a respected member of the international community and, more importantly, open the doors to economic support and assistance. In addition, Kiev had moved quickly in June, 1992, to ratify the Conventional Forces in Europe Treaty. While Kiev did not view the matter as a quid pro quo it could not but believe that it had been taken for granted. Kravchuk, for example, lamented in November, 1992, that Ukraine had received nothing in return for the tactical weapons. This experience made Ukraine doubly sensitive in view of the historical lack of identity that it has had to deal with. Forever seen as Little Russians, ignored at the expense of Moscow, and only turned to when something was needed—traditionally wheat and now nuclear weapons—the Ukrainian leadership saw itself as mistakenly and naively prolonging this trend. With national pride and identity being snubbed, it was inevitable that Ukrainians would eventually seek to assert themselves rather than endlessly lick their wounds. And with the West putting such great emphasis on the weapons, it did not take long for the Ukrainians to realize that this issue was their ticket to big-power attention, thus neutralizing the age-old frustration of national identity. Kiev, therefore, sought some form of reimbursement for the tactical weapons, arguing that Ukraine should be compensated for these weapons before it ratified START I.

Furthermore, Ukrainians could not but believe, as many parliamentarians openly stated, that if the weapons were given up,

18 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

there would be no interest in Ukraine and Ukraine's international position would be immediately diminished. Chornovil, for example, believed Ukraine had gotten smarter and come to realize the importance of the nuclear weapons in the wake of having so quickly given up the tactical weapons. Compensation was one of the issues uppermost in the minds of many deputies, as well as the Foreign Ministry, when the issue of NPT membership was broached. Kiev feared that declaring its nonnuclear status by joining the NPT would be sacrificing any claims for reimbursement for the nuclear material in the warheads that it would be giving up under the START I Treaty. Therefore, many Ukrainian officials, were making it clear that even though START could be ratified, early accession to the NPT was not necessarily true.

And many Ukrainian deputies claimed that West and East European states were not as eager for Ukraine to give up its nuclear weapons, a claim that Pavlychko and other deputies sought to use as leverage against the United States for obtaining security assurances. Such states as Poland and France allegedly regarded the Ukrainian nuclear potential as security against Russia. The notion that the Ukrainians were fond of pedalling as an excuse—that the West made nuclear weapons important to Ukraine by focusing on the issue—therefore is somewhat a moot point, given the predilection of much of the Rada leadership to utilize the weapons as leverage in the negotiations with Russia and against the West.

Ukraine always pointed to extenuating circumstances for its failure to act on START. It blamed the West either for failing to act to stop Russian threats, or for acting otherwise improperly and thus muddying the political waters in parliament. Ukrainian leaders were always prompt in pointing out that events in Russia would affect the START decision process. In March, 1993, during his first meeting with Secretary of State Warren Christopher, Foreign Minister Zlenko warned that Yeltsin's troubles with his parliament were stimulating greater support in the Ukrainian parliament for retaining the nuclear weapons. In like manner, in July of that year, subsequent to the U.S. bombing of Baghdad, Zlenko cautioned that the action was creating resistance in parliament to START ratification. Ukraine had condemned the bombing for fear it could set a precedent for Russian action against Ukraine, thus some deputies started to question the wisdom of giving up Ukraine's nuclear force.

Along these lines, there appeared to develop a thinly veiled connection drawn between START ratification and financial assistance. In July, 1993, President Kravchuk wrote to the G-7 outlining Ukraine's needs, including a fund to assist small business and a stabilization fund. In discussing START ratification, Kravchuk wrote that the Rada's decision would be influenced to a large degree by the technical and financial assistance that Ukraine would receive. But even earlier in the year, at the January Davos conference, Kravchuk had floated the idea of an international conference providing aid for dismantlement.

Ukraine claimed, rightly, that as a country undergoing economic changes it would be difficult to burden itself with the high costs of dismantlement. Throughout 1992 Washington had discussed with Ukraine the costs of dismantling its arsenal. After mutual discussions, Kiev informed Washington that a sum of \$174 million would be needed. In response, in December, President Bush informed President Kravchuk by letter that the United States was prepared to offer Ukraine \$175 million as a preliminary offer of assistance. There would be more financial and other assistance offered as Ukraine moved toward disarmament. Kravchuk welcomed the President's letter and, underlining the Russian factor in the Ukrainian debate, said that Parliament would move forward on START but cautioned that it might be passed with reservations aimed at Russia. He warned that Kiev continued to be concerned about Russia's intentions toward Ukraine since at that very time Russia's parliament was discussing the fate of the Ukrainian city of Sevastopol in Crimea.

Ukraine, however, took no action on the warheads, but did pursue its own internal study relating to costs, estimating this could be as high as \$1.5 billion. This figure was soon revised up to \$2.8 billion, and at one point, Minister of the Environment Yuri Kostenko stated that it could be as high as \$3 billion. Ukraine's Ambassador to the United States Oleh Bilorus even worried in a conversation in Washington that it could be \$6 billion. Ukraine's explanation was that the increasing figure was a result of inflation and an inadequate original analysis. A sense of exasperation developed in Washington that monetarily as well as politically Kiev was moving the goal posts on the United States. In this regard the United States had made it clear during deputy Foreign Minister Boris Tarasuk's January, 1993, visit to Washington that

20 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

Washington was not going to get involved in a bidding war regarding the estimates for dismantlement.

There was an added economic, as well as geopolitical concern that influenced Ukraine's actions, particularly when it came to the issue of compensation. Approximately one third of Ukraine's energy is supplied by nuclear energy. Furthermore, Ukraine depends on Russia for the majority of its oil and gas needs. To break this dependence on Russian energy supplies Ukraine has been looking toward augmenting its civilian nuclear sector, but to do so, it needs the LEU as fuel for these reactors. For Ukraine, therefore, obtaining LEU from the tactical and strategic warheads was an important motivating factor. The issue of energy needs is evident from Ukraine's continued reluctance to shut down the Chernobyl reactor unless it receives adequate compensation.

3.

THE END OF THE BUSH ADMINISTRATION

During the later stages of the Bush Presidency, the United States undertook a number of steps aimed at coaxing Kiev toward START ratification and accession to the NPT. In addition to the offer of \$175 million in Nunn-Lugar funds, the Bush administration took a number of other measures.

In early October 1992 Undersecretary of State Frank Wisner visited Kiev to outline the U.S. willingness to assist Ukraine on HEU profit sharing, security assurances. He took concrete steps on discussing the early deactivation of the Ukrainian missiles even while START was still being debated and had not been ratified.

On October 26, 1992, President Bush wrote to President Kravchuk outlining the basic U.S. position regarding many of the issues surrounding the nuclear question. Bush emphasized that the weapons needed to be transferred to Russia for dismantlement. He stated that any policy of dismantlement in Ukraine would be counter to Kiev's previous commitments and that it would be too costly as well as too time consuming. The United States was also committed to supporting Ukraine's desire to monitor the destruction of the warheads. The United States was also ready to assist Ukraine technically and financially in the dismantlement of the missiles and launchers. The President also declared that the United States was looking to supporting defense conversion projects in Ukraine. And, the President made clear, the United States supported an equitable sharing of the proceeds between Ukraine and Russia from the sale of the HEU derived from the dismantled warheads. (Ukraine, which claimed a right to the components of the weapons sought compensation for the highly enriched uranium—HEU—that the warheads contained. With discussion centering on the dismantlement of weapons in Russia, Kiev feared it would not

22 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

receive compensation, thus prolonging a loss that was sustained when the tactical weapons were shipped to Russia in 1992, and for which no compensation was received at that time. This was one of the factors which drove Kiev's early insistence on conducting dismantlement in Ukraine, which would have entailed building an appropriate facility).

The United States, which, as late as May, had opposed any security assurances for Ukraine, had by now started a serious dialogue with Kiev on the issue. In early January 1993, the United States provided Kiev with draft security assurances and continued working with Russia and Britain to also provide similar assurances.

The U.S. efforts had no success in moving the process forward. Indeed, the lame-duck status of the Bush administration appeared to be working against any quick success. With the election of President Clinton, there was a focus on the transition period, in Washington as well as Kiev. Nunn and Lugar, in their December report, realized the danger of the transition period and urged the outgoing and incoming administrations to stay in constant communication and that both should focus their energies on the former Soviet Union since the United States could not afford to "take a break from history." In Kiev there was an unspoken assumption that the possibility of obtaining a better deal with the new administration existed. And if that were not possible, then at least Kiev would be able to gain some more breathing room since any new administration would need time to get its people and policy in place.

On two occasions in December, 1992, after the mid-December target for START ratification had passed, President Kravchuk stated that ratification would take place in January of the new year. On December 18, he stated that on January 15 START would be brought forth in the Rada and that within two days after that, ratification would take place. In a December 24 phone conversation with President Bush at Camp David, Kravchuk thanked the President for his December 4 letter offering \$175 million in assistance for nuclear dismantlement. He stated that the Rada was studying the START documents and he was sure that the deputies would adopt them.

On December 30, Kravchuk once again reiterated that the START treaty would be introduced in the Rada on January 15—if not earlier. He said he discussed START with deputies on a daily

basis and had no doubts that it would be ratified although it may be done with certain—undefined—reservations. When each promised deadline came and went, without any hesitation, Kravchuk would just as easily and earnestly promise a new deadline, irrespective of the political realities surrounding him. (As it turned out, Kravchuk held a bilateral meeting with Yeltsin on January 15. Kravchuk had given similar abortive promises in mid year when he expected ratification to take place before the Rada's July, 1992 holiday adjournment).

On January 4, 1993, Pavlychko related that debate on START would not start before the then-scheduled January 22 CIS summit, which was contrary to what Kravchuk had been saying. Pavlychko said that Moscow was pressuring Ukraine to sign the CIS charter and he feared that Russia would use oil and gas leverage as pressure against Ukraine. As a result, he believed that Kravchuk would find it politically difficult to pressure the Rada on START, while Ukraine is experiencing problems with Russia. Indeed, at the January 22 Minsk summit, Ukraine refused to sign the CIS statute but put forth its own declaration which was signed by all, calling for economic cooperation and leaving open the option that any state could sign the CIS statute in the future.

Whatever the case, in the waning days of the Bush administration, there was a frustration that Ukraine kept to a delaying strategy. Publicly and privately the administration sought to move Kiev toward action. In December, 1992, Secretary of State Eagleburger stressed at the Brussels NACC meeting that Kiev's failure to act "inevitably will have an impact on the bilateral relationship between the United States and Ukraine." Concern about Kravchuk's resolve in the face of parliament's stalling tactics was evident by Eagleburger's admonition "that more forceful advocacy of those two treaties [START and NPT] by the leadership in Ukraine might tend to deal with some of those parliamentary concerns." And President Bush, in his December 30 letter to Kravchuk, emphasized the importance of START ratification on the eve of the Clinton administration. The President stressed that the action could begin the momentum for expanding relations between both countries.

And it was the perception of being "stiffed" by Kravchuk that helped persuade the administration in its waning days not to pursue a further tranche of the \$200 million October, 1992, agricultural

24 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

credit (of which Ukraine had already used \$70 million) that had been granted to Ukraine. Ukraine's declining credit worthiness was the prime disincentive for any positive action. At this time the administration was also pressuring Ukraine and Russia to resolve the former Soviet Union debt issue, so withholding of the tranche meant added pressure on Ukraine to reach an agreement. This problem continued into the Clinton administration, which refused to grant Kiev a new tranche because Kiev continued to be non-credit worthy. Kiev was paying the interest but not the principal. The Clinton administration, did, however, offer a new \$40 million package in July 1993.

4.

THE CLINTON ADMINISTRATION APPROACH

At the outset, the Clinton administration was in a quandary about whether to pursue a carrot or stick approach. The Embassy for long had sought to reorient policy so that the United States would give economic assistance to Ukraine and thus underline Washington's overall support. In addition, the Embassy had argued that the United States would have to play the role of divorce lawyer between Kiev and Moscow, something the Bush administration started to do on the HEU and nuclear issues including security assurances whether or not it wanted to. The Embassy argued the important role that Ukraine could play in the region and, therefore, that it was important to have a viable, independent Ukrainian state.

The Clinton administration, having seen the frustration experienced by the previous administration and possibly wanting to pre-empt any chance of Kiev's squeezing out new concessions, preferred a policy of pressure against Ukraine. At its best, this policy envisioned positive inducements of tempting Kiev by stressing how quickly other states, such as Belarus, were receiving assistance in the wake of START ratification.

The relationship, at first, appeared to get off to a good start with the President's lengthy January 26 phone conversation with Kravchuk. While President Clinton urged START and NPT action, he emphasized that the United States seeks a relationship that involves not only security, but economic and political issues as well and urged Kravchuk to work with the International Monetary Fund. In February, however, showing the overriding importance of the nuclear issue, Secretary of State Warren Christopher wrote to Zlenko urging START ratification. He noted that Belarus had recently ratified the treaty and adhered to the NPT and that it was

26 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

now Ukraine's turn to do likewise. And, at the April Vancouver summit, the United States and Russia agreed to use their separate influence on Ukraine to move Kiev toward de-nuclearization.

During their March meeting in Washington, Secretary Christopher emphasized for Zlenko the importance of Ukraine's adhering to its nuclear commitments. Christopher emphasized the importance the United States attaches to good relations but that, while the United States wants to be helpful with credits and investments, the nuclear issue remained a cloud over the relationship. He stressed that failure to act on START and NPT could complicate relations and make it difficult to develop the kind of strong bilateral relations both countries would like. In a note of exasperation similar to that of the previous administration, the Secretary reminded Zlenko that during their January phone conversation, Zlenko had promised that the treaties would soon be taken up by the Rada. Two months later, the Secretary continued, nothing had moved and Zlenko was now even less encouraging. From his side, Zlenko put an emphasis on obtaining security assurances.

In his meeting with President Clinton during that March visit, the President emphasized for Zlenko the importance of START. The President stated that START was a "pre-condition" for a successful relationship, a statement that was regarded by some Ukrainian deputies as a threat. The Ukrainian media, however, stressed the good status of United States-Ukrainian relations and did not focus on the differences over the nuclear issue. President Clinton's comment regarding START as a "pre-condition" for better relations was first reported in the Russian and not Ukrainian press.

During this period, the administration was deeply concerned about reports that Ukraine was developing its own launch capability and was debating on how to approach Ukraine on this question. This concern, no doubt, added to the belief for the need to keep the pressure on Kiev. The President's message was re-emphasized by the Codel led by then House Majority leader Dick Gephardt (D-MO.) in early April, which carried a presidential letter explaining to Kravchuk that the furtherance of bilateral relations depended on Ukraine living up to its nuclear commitments.

That same month the administration sought to drive home the price for Ukraine's intransigence. Prime Minister Kuchma had tentative plans to travel to Washington as a guest of the House

Agriculture Committee, but before undertaking such a trip he wanted assurances that he would be able to have a meeting at the highest levels, including with the President. Washington's response was that while the Prime Minister was welcome to accept the congressional invitation, neither the President nor the Secretary—who would be traveling during the proposed time frame—would be available during his visit. But to make sure that the message was clear, it ended with the caveat that a visit would be more advisable later in the year once Ukraine had ratified START and acceded to the NPT. A State Department official leaked the story to the press that Kuchma had been refused a visit to Washington as punishment for Ukraine's nuclear policy and as pressure to get Kiev to act accordingly. This public humiliation reverberated throughout the Ukrainian government, leading to an unofficial freeze on high level contacts from the government with the Embassy.

The Embassy protested Washington's decision, noting that by receiving Kuchma the administration would be dealing with an individual who as former Director of the Pivdenmash Missile facility had built the SS-24 rockets and, therefore, it was wise politics to cultivate him even if it was to restate the long standing U.S. nuclear position. Furthermore, Kuchma was the only one on the Ukrainian horizon who was actively pushing for economic reform and had the political will and acumen to possibly maneuver through the Ukrainian political quagmire. The argument did not convince people in Washington. To cover Kuchma, Zlenko dispatched a letter on April 9 reporting that Kuchma was unable to travel to the United States.

Ukrainians constantly complained that the U.S. position was only making parliament more recalcitrant in ratifying the treaty. But this view was open to debate. Some political leaders, like those of the Christian Democratic Party, believed Western pressure was not counterproductive but was helpful in highlighting for Ukraine the dangers Ukraine faced by holding onto the nuclear weapons. A particular concern of the Christian Democrats was that retention of the weapons would expose Ukraine to continued Russian influence and thus they supported greater Western pressure on Kravchuk to give up the weapons.

KRAVCHUK TAKES THE INITIATIVE

In a move to possibly signal the United States of his personal commitment to a non-nuclear Ukraine, on April 20 Kravchuk finally took the START issue to a closed session of the parliament, thus showing the type of initiative that Washington had been seeking. He reported that, according to Ukrainian experts, Ukraine cannot produce nuclear weapons nor provide for their proper technical maintenance. He also emphasized that Kiev did not control the nuclear button. Ukraine, therefore, he urged should move to comply with the START Treaty but he made clear his view that Kiev should withdraw its weapons over a seven year period and that withdrawal should depend on Ukraine obtaining material compensation and security assurances. A Ministry of Foreign Affairs official, tailoring his remarks for U.S. consumption, characterized the speech as "hard" in favor of START, the Lisbon Protocol and the NPT and that the United States would have been pleased by it.

The Rada deputies were less than enthusiastic thus giving Kravchuk the benefit of showing his commitment much as his December, 1992 remarks to the Embassy did, but not moving the process forward at all. The deputies favoring ratification were concerned that, while in the fall of 1992 the percentage of the public favoring ratification was 80-20, now it was supposedly 55-45. However, a poll taken by the Ukrainian Academy of Sciences Sociology Institute reported in the Ukrainian press on April 23 that 31 percent of the public favored retaining the weapons, while 52 percent favored destroying them, and the remaining 17 percent were undecided.

The truth of the matter was that while there was greater public awareness of the nuclear issue, mainly because of the Gephardt Code visit, the Embassy's lobbying of Parliament, and public statements, and the Vancouver summit between Presidents Clinton and Yeltsin, most Ukrainians were still more concerned about the economy. The failing economy and falling standard of living overshadowed any concerns regarding START and the NPT. As a media focus, corruption and the mafia were more of a favorite topic. START was becoming an elite issue focused within the government. A poll of parliamentarians, employees of State ministries, and directors of large state enterprises taken by the

Sociology Institute that same month revealed that 60 percent favored retention of nuclear weapons.

THE U.S. REAPPRAISAL

By mid-April the Clinton administration, reconsidering its approach to Ukraine, launched an interagency review aimed at broadening United States policy toward Ukraine. The National Security Council was pushing for SSD negotiator James Goodby, who had replaced General Burns, to come to Ukraine to talk not only SSD but also to lay the groundwork for Ambassador Strobe Talbott's scheduled early May visit, by discussing the broader United States-Ukrainian relationship. [Talbott, who is currently Deputy Secretary of State, was at that time in charge of the Newly Independent States at the State Department]. Ukraine, however, was not willing to host the Goodby mission on April 26, even though it was made aware of Goodby's wider mandate, pleading that its small foreign ministry staff was overburdened in working to push the START Treaty through the parliament. There was also a newly emerging congressional interest in having United States policy more forthcoming toward Ukraine. Indicative was a letter from Congressman Norm Dicks (D-WA) to the late Secretary of Defense Les Aspin urging better relations with Ukraine and questioning the overall focus by the administration on Russia at the expense of the other republics.

But there was one item that needed to be resolved prior to Talbott's visit, because it could undermine the good words he planned to bring. The issue dated back to March and involved the reports that Kiev was allegedly seeking to develop its own nuclear launch capability. There was much public discussion of this alternative in Ukraine. Environment Minister Kostenko, stated in late April that Ukrainian specialists believed that Ukraine had the scientific and industrial potential for the upkeep of the nuclear weapons, but which he estimated as possibly costing a prohibitive \$40 billion. Pavlychko echoed this sentiment when he claimed that the technicians who had put the warheads together had been located in Ukraine, thus indicating that Ukraine could develop an independent nuclear capacity.

While there was talk of Ukraine retaining nuclear weapons, it was mostly unrealistic. For this to have been a viable and credible

approach, Ukraine would have needed a sophisticated organization involving a command and control center, a maintenance system and, obviously, physical control of the weapons, among other challenges. Coupled with this was the monetary resources that would be needed as well as the time to develop the infrastructure in the face of U.S. and Russian opposition. In early May, a senior Ukrainian official was apprised of the U.S. fears. He categorically denied the allegations and re-stated Ukraine's goal of becoming a non-nuclear state.

But while the United States was shifting in its approach, Russia was pushing a harder line during Senators Nunn and Lugar's early May visit to Moscow. The Russians complained that the United States had committed a number of mistakes in its approach and that it had not exhausted all of its leverage against Kiev. Specifically, the Russians believed that the United Nations Security Council should get involved in the Ukrainian nuclear question. Foreign Minister Kozyrev was blunt in his view that the Ukrainians were seeking to gain control of the nuclear weapons and that the United States should be stricter with Kiev. And other officials claimed that Ukrainian officials had told them that Ukraine planned to keep the SS-24 missiles and re-target them.

After a dress rehearsal with Deputy Foreign Minister Boris Tarasiuk in Washington on May 3 in which he stated that both sides should leave old business behind and start anew, Ambassador Talbott outlined the changing U.S. policy during his May 9-10 visit to Kiev. He also offered that the United States could serve as a facilitator in Ukrainian-Russian relations. On his return to Kiev, however, Tarasiuk claimed that he had told U.S. officials of Kiev's dissatisfaction over the bilateral relationship.

One of the keys for the success of the new U.S. message was for Talbott to meet Kravchuk. But, with the Ukrainian government smarting from the public snub accorded Kuchma's aborted trip to the United States, Kravchuk pleaded a busy schedule. By this time, Western media were already carrying the story that Talbott had been refused a meeting. It was only through the intercession of Vasily Durdinets, Deputy Speaker of Parliament and a close associate of Kravchuk, that a meeting was arranged. Talbott presented Kravchuk a letter from President Clinton in which the President stated his desire to expand the bilateral relationship and authorized Talbott to discuss a full range of political and security issues.

Talbott made it clear that the United States believed that the nuclear issue had tended to obstruct other bilateral business.

Talbott emphasized that U.S. policy is driven by both U.S. and Ukrainian national interests and that the United States would not ask Ukraine to do anything that was not in the Ukrainian interest. Kravchuk ended the meeting by emphasizing that continued Ukrainian independence hinged on the economy and Kiev's relations with Russia. While Talbott brought nothing to offer in terms of economic assistance, he did tell Kravchuk that the United States would use its good offices to diminish problems that existed between Kiev and Moscow. But he made it clear throughout his other meetings and in his public statements that this would come about only if both sides would agree to such a role.

During the visit, Talbott stated his belief that Yeltsin's government had no imperial tendencies and that the success of Russia in its economic and other reforms would have a positive influence on Ukraine. However, for the Ukrainians, the statements seemed to only once again underline the secondary importance of Ukraine. And nothing in the administration's rhetoric indicated any lessening in the focus on START. In his May 11 appearance before the Senate Foreign Relations Committee, Secretary Christopher stated that the United States was looking forward to Ukraine acting soon on START and NPT and then the two sides could act on a broader agenda of cooperation and partnership.

By this time, however, both sides were worn out due to the nuclear loggerhead, so any signal, rhetorical or concrete, was viewed by Kiev as welcome and as a step to renewing the relationship and putting the past behind. But Kiev made it clear that while Washington's intentions were welcome, Kiev would stand on guard. In their meeting during Talbott's visit to Kiev, Zlenko told Talbott that during his own March visit to Washington, he had not noticed anything new in the relationship but now Talbott's visit gave rise to hopes. But the Ukrainians are realists, and Zlenko did caveat that he hoped Talbott's statements were more than words and would be followed by action.

5.

THE DEFACTO PROCESS: THE U.S.-UKRAINE-RUSSIA TALKS

U.S. DEACTIVATION PROPOSALS

The new Clinton administration approach to Ukraine was facilitated by the fact that approaches to the nuclear weapons issue had already taken two roads. There was the legal ratification issue that the Rada had to settle—and that was the most visible irritant in the bilateral relationship. But on an informal level, as a result of Ukrainian-Russian negotiations, as well as U.S-Ukrainian-Russian discussions, a formula and a process for deactivating the Ukrainian warheads were being worked out as well as a process for dismantling and shipping them to Russia. In this milieu, the administration believed it was on the road to achieving de-nuclearization and that it was important to push the technical talks, which stayed out of the realm of parliamentary oversight. Given these developments, the administration had an incentive to change its rhetoric toward Ukraine and believed it could gain greater leverage on the nuclear issue by doing so. The process had started early on, before the Clinton administration had come into office.

Defense Minister Morozov believed as early as February 1992 that nuclear weapons were not a viable choice for maintaining Ukraine's independence. He believed that a strong conventional force would be the best alternative and exerted his energies in this direction. At this stage the nuclear issue was being dealt with at the executive levels of both governments and thus was being handled as a technical rather than a political issue. It moved into the latter domain in May. With Ukraine balking at having Russia as the sole representative of the nuclear weapons, the Bush administration had allayed Kiev's concerns by having Ukraine become part of the

START Treaty by its signing of the Lisbon Protocol, thereby mandating a parliamentary ratification. And, while the debate in the Rada raged, the Ukrainian government worked the technical issues of dismantlement with the United States and Russia.

The SSD talks, which aimed at settling the issues of liability and technical matters related to dismantlement, had commenced in the winter of 1992, and continued into the Clinton administration, when agreement was reached late in 1993. During the winter of 1992, Ukraine also held discussions with U.S. firms regarding the actual mechanics of missile dismantlement, including what would be done with the missile fuel. In April 1992 Kiev raised with a U.S. firm the question of dismantlement at civilian reactor sites as an alternative to shipment to Russia, which turned out not to be feasible.

More importantly, in October 1992 Undersecretary Wisner led a delegation to Kiev that addressed a broad range of security and nuclear issues. Thus started a serious discussion on moving forward on the deactivation of missiles even while the START ratification issue was still being debated.

In November, the Embassy discussed with the Foreign Ministry the proposal Wisner had delivered for the deactivation of the nuclear missiles, including defueling of the liquid fueled missiles and removing the front sections of the missiles. These steps were aimed at implementing a procedure that would normally be required as part of the elimination process once START was ratified and implemented. In addition, under this offer, the United States was prepared to discuss financial and technical assistance to help in the early deactivation. The United States emphasized its willingness to pursue this and the other proposals on a priority basis and to do so in discussions with both Ukraine and Russia.

The United States and Russia were already deactivating ICBMs and SLBMs that were slated to be eliminated under START, and the U.S. proposal was geared to bring Ukraine on board even before Kiev's ratification of the treaty and its coming into force. In the Clinton administration, Wisner, who had moved over to the Defense Department to become Undersecretary for Security Affairs, before going on to be Ambassador to India, continued to pursue the deactivation proposal.

The primary focus of the deactivation proposal was Russia. The Pentagon devised the program because it was concerned over

the 7-year period allowed to the United States and Russia during which they would destroy their missiles. Due to budget problems, the United States was on a faster timetable for destruction of the missiles. Thus, the Pentagon feared that there would be a gap in the rate of destruction between the two states in favor of Russia. The Pentagon was also concerned that due to the uncertainty of the changes ongoing in Russia, Moscow's command and control of the nuclear weapons could become tenuous and thus create problems of possible accidental launches and nuclear accidents. Buttressing these two concerns was a political goal. It was believed that the proposal could help to solidify the new political environment between the two states. With the United States and Russia thus pursuing early deactivation, the Pentagon decided to expand the program and seek to include Ukraine. Just prior to leaving office, in January, 1993 Secretary of Defense Dick Cheney expressed a desire to remove by 1995 a number of systems such as Minuteman II ICBM'S and Poseidon missiles that were due for elimination under START I. And in April, 1993, President Clinton announced a speed up of the deactivation of START I weapons.

U.S.-UKRAINE-RUSSIA DIALOGUE

Meanwhile, Ukraine had started the process of beginning a dialogue with Russia over nuclear issues. On November 16, 1992, the Cabinet of Ministers decreed the formation of a commission for negotiating the elimination of strategic missile warheads with Russia. Then, on January 26, 1993, outside of Kiev, Ukraine and Russia started talks on the elimination and dismantling of the warheads. The talks were headed by Ukrainian Environment Minister Yuri Kostenko and Russian Ambassador Yuri Dubinin. While no decisions were made, Kiev saw the meeting as a positive step forward. The main stumbling block was Ukraine's claim to the nuclear components of the weapons, something Russia was not willing to accept at first.

By March, 1993, the United States sought to bridge the gap between both sides. Until then, the United States had urged both sides to reach an agreement on compensation, but now Washington was willing to support the Ukrainian position by making a distinction between "ownership" and the "value of components," which would involve the HEU. In short, without touching on the

actual ownership issue, Washington stated that Kiev had the right to realize the value of the nuclear material in the weapons on its territory.

Kiev was very pleased with the U.S. position, claiming that it mirrored the Ukrainian stance. Washington had publicly announced in summer 1992 that the United States was reaching an agreement with Moscow on HEU sales, but making no reference to the Ukrainian missiles, which Moscow considered its property. This announcement had prompted Kravchuk to request that a similar agreement be reached with Kiev. When Washington realized the dilemma, it rectified the situation by notifying Ukraine that Moscow had been informed that it was important for Russia to reach an agreement on profit sharing from the HEU in the Ukrainian missiles. The March 1993 announcement moved a step beyond urging both sides to reach an agreement and clearly stated the Ukrainian right to such compensation.

The Ukrainians had regarded themselves as being at a disadvantage just a few weeks earlier. In February, 1993, Washington notified Kiev that an HEU agreement had now been actually signed with Russia but would not be implemented until Moscow reached an agreement on profit sharing with Kiev. At the time, Ukrainian officials became upset, claiming that the agreement showed support of Russia at a time when both were negotiating nuclear issues. These alternating accusations were to mar U.S. efforts at trying to get both sides together on various nuclear issues.

In early April, 1993, Kravchuk sent Yeltsin proposals on breaking the deadlock on the nuclear negotiations, which Ukraine viewed as being stalled by Russia's insistence that the talks could resume only after Kiev had ratified START and acceded to the NPT. For Moscow's part, Dubinin stated in a mid-month interview with *Izvestia* that an agreement had been reached on the Ukrainian missile complex but that the Ukrainians had balked and were raising questions about the text already agreed upon. To break the continuing stalemate, the Ukrainian negotiating commission was terminated in early May, and, as a result of an agreement between Kravchuk and Yeltsin, the negotiations were upgraded to the Prime Minister level.

In late April, possibly reflecting the U.S. policy shift of March on the value of nuclear components, 162 deputies signed a

statement declaring Ukraine a nuclear state. The arguments used were that if Ukraine did not have ownership of missiles, then it would be ratifying a treaty to eliminate weapons that did not belong to it. The statement may have been further prompted by Russia's statement earlier in the month about having jurisdiction over the nuclear weapons in Ukraine. In theory, the nuclear weapons in Ukraine are subordinate to the CIS, including Ukraine. Russia's statement, according to Kiev, changed this status, and in effect introduced the concept that only foreign—that is, Russian—troops have jurisdiction, and there is no law permitting the stationing of foreign troops in Ukraine.

By early spring, however, Ukraine had also developed a plan for removing warheads from the missiles. This was a decision by the Cabinet of Ministers and was to involve the Defense Ministry as the lead agency. Prior to Talbott's May 9 visit to Kiev, a Ukrainian official expressed Kiev's interest in discussing de-targeting and the removal of both the guidance systems and the warheads from the missiles. All this could take place while the START ratification process was proceeding in Ukraine.

In his meeting with Defense Minister Morozov in Kiev in May, Talbott stressed U.S. and Russian steps toward deactivation even without the START Treaty being in force. Morozov responded that this was a good example for other nuclear states and, without elaborating, stated that in the near future Ukraine would be able to report the dismantling of its own missiles.

For the U.S. part, Defense Secretary Aspin travelled to Kiev on June 6, 1993, bringing a deactivation proposal whose foundation had been set by Wisner's 1992 visit. This proposal would involve the removal of missile warheads and storage in Ukraine before shipment to Russia. The program would be internationally supervised. Once Russian dismantlement facilities were ready the warheads would go to Russia. And, once the warheads were destroyed, Ukraine would receive payment for the HEU. The United States was also willing to bridge the gap between Ukraine and Russia in their nuclear dispute. Morozov accepted the proposal. He claimed that it paralleled a proposal Kiev had made to Moscow the previous summer, but that Russia had not shown any interest. Kozyrev's view, however, was contrary. According to him, Russia had made such a proposal but Ukraine had rejected it. When

Aspin and Kravchuk met, Kravchuk affirmed his support of the deactivation approach.

However, in their June 6 meeting in Germany, Russian Defense Minister Pavl Grachev had dismissed Aspin's proposal for storage and international supervision, claiming that it could lead Kazakhstan and Belarus to remove their non-nuclear pledges and lead Ukraine to maintain its nuclear force. In addition, he urged that the United States exercise greater pressure on Ukraine for ratification. Moscow continued to be troubled by what it regarded as a U.S. willingness to compromise with Ukraine and viewed U.S. efforts at mediating the Ukrainian-Russian dispute as interference.

On June 11 Talbott flew into Kiev's Boryspol airport for a meeting on the technical aspects of deactivation. The United States viewed the process in stages, such as first demating the warheads and then defueling the missiles. By mid-June Russia was signalling its positive reaction to the deactivation proposal. By the end of the month, Ukraine and Russia were getting closer to an agreement on maintenance of the missile components and warheads. At the June 17 Moscow summit, Ukraine and Russia had reached preliminary agreement on maintenance of the Ukraine based weapons, even before START ratification by the Rada, a step that was welcomed as a positive development by the U.S. Missile maintenance was becoming a problem since lack of proper care could lead to accidents with human and environmental consequences. As early as February 24, 1993, Morozov confirmed that there was a problem regarding Russian maintenance of the missiles due to a failure to reach a financing agreement. At that time he claimed that the lack of maintenance was affecting the operational readiness but not the safety of the missiles.

UKRAINE MOVES TOWARD NUCLEAR STATUS

On July 2, by a vote of 226-15, the Ukrainian Rada voted a foreign policy doctrine stating that Ukraine has ownership rights to the nuclear weapons. The relevant words were that Ukraine had "acquired its own nuclear weapons for historical reasons" but would never use them. This wording was widely interpreted as Ukraine's finally having declared itself a nuclear state. The foreign ministry sought to discount this interpretation by denying the allegations and

noting that Ukraine did not have operational control. The Foreign Ministry claimed that the Rada statement was in line with previous Ukrainian statements—that there are nuclear missiles in Ukraine and that Ukraine has a right to compensation for their components. But, as if to quell the international concern over the Rada action, on July 6 *Holos Ukrayiny*, the Rada's official newspaper, ran a pro-START article by a Dutch academic outlining the advantages to Ukraine of an early ratification of START. The article highlighted the prospects of economic gains as well as the problems of servicing weapons as reasons for ratification to take place. Kravchuk, himself, however endorsed the Rada vote when he claimed that Ukraine must be the owner of the weapons until their actual destruction.

UKRAINE-RUSSIA STALEMATE

By July, however, Ukraine was reaching a point of frustration in its discussions with Moscow. In the wake of his June 17 summit with Yeltsin, Kravchuk had declared that the issue of nuclear weapons in Ukraine had been "resolved in principle," a step that the U.S. had welcomed when first reported. On July 8, however, Kravchuk complained to visiting Senator Mitch McConnell (R-KY) that he finds it difficult to finalize nuclear agreements he reaches with Moscow. Kravchuk lamented that he did not know with whom to speak in Russia and requested United States assistance in the talks.

However, at the fringes of the Tokyo economic summit, President Clinton met with Yeltsin on July 10 to discuss the Ukrainian nuclear issue. At a joint news conference, Yeltsin announced that the United States and Russia had agreed to present Kiev with the idea of a trilateral nuclear agreement. The United States saw the Russian step as a positive development—one of many that the United States and Russia were mutually undertaking to help resolve the Ukrainian-Russian stalemate in nuclear negotiations. The U.S. State and Defense Departments, for example, had already been exchanging ideas in a three-way format involving Ukraine and Russia on how the reduction of nuclear weapons could begin prior to the entry into force of the START treaty.

During his July visit to Washington, Tarasiuk gave formal Ukrainian acceptance to the early deactivation proposal. In the

wake of this visit, the United States passed to Moscow a proposed United States draft trilateral security and deactivation statement and U.S. officials discussed it with Russian officials later in the month. The Russians sounded positive, caveating that Moscow would need to study the United States proposal, but that Russia was interested in cooperating with the United States on the proposed agreement.

Based on positive responses by Ukraine in June and early July, preparations had been made to begin talks on the technical aspects of deactivation. A delegation headed by Assistant Secretary of Defense Ashton Carter arrived in Kiev on July 22 to hold such talks. A week earlier Kiev had taken first steps already toward deactivation. On July 15, true to Morozov's comments to Talbott in May, Ukraine started to deactivate 10 SS-19's with the goal of completing the process by the end of the year. According to Morozov, the 10 missiles had reached the end of their service life. He believed that Ukraine had the capability to extend the service life but that the decision had been made by Kravchuk to deactivate before START ratification, thus, in fact, beginning the START process de facto. Morozov said, however, that until the ownership issue was resolved, storage of warheads would be in Ukraine, not in Russia. In his visit to Washington at the end of July, Aspin also notified Morozov that a portion of the Nunn-Lugar funds of \$175 million promised by the Bush administration would be released to speed this dismantlement and would no longer be conditioned for release on ratification of START and NPT. In addition, a military cooperation agreement was reached, including annual visits and the goal of widening military contacts.

The road to ratification was still not smooth. On June 3, the Rada had started deliberations on START. Zlenko made clear in his remarks to the deputies that Ukraine did not possess the financial nor technical means to maintain a nuclear force and urged quick action, lest a delay hurt Ukraine's international image. However, Rada action was slow in coming. It continued to be troubled by the issues of financial assistance, compensation, and security assurances. In September, as Kravchuk and Yeltsin arrived at an agreement for the sale of the Black Sea Fleet in exchange for Ukraine's energy debts to Russia, Kravchuk, under pressure from forces in Parliament, was forced to renege. However, the nuclear weapon agreements concluded at this Massandra summit appeared to set the foundation that led to eventual success regarding nuclear

issues. The agreements included Russian concurrence to compensate Kiev for the HEU that would be extracted from the warheads. The two sides also reached agreement on Russian maintenance of the nuclear weapons and on the transport of the warheads to Russia within two years after the Rada's ratification of START. The Ukrainian side also claimed that Moscow had agreed, for the first time, to provide compensation for the withdrawn Ukrainian tactical weapons, but this was disavowed by Russian officials.

Within weeks everything seemed to unravel when Russia pulled out of the agreement, accusing Ukraine of changing the wording to indicate that only those nuclear weapons covered by START I and not "all" weapons would be eliminated. It was a charge denied by Kiev, which claimed that Russia had presented for signature a text different from the one that had been actually agreed upon. The agreement on compensation and warhead maintenance, however, appeared to weather the political storm but not without some problems. The maintenance agreement was rocked by Russian accusations that Ukraine was storing too many SS-19 warheads at Pervomaysk thus raising a radiation danger, a charge that Kiev also denied.

During his October visit to Kiev, Secretary Christopher made an effort to move the START process forward by telling the Ukrainians that the United States would not tie the nuclear weapons issue to U.S. support of Ukraine's economic development. This was a welcome step for Kiev which had come to experience administration opposition to any economic assistance for Ukraine. During the trip, on October 25, Christopher and Zlenko signed the SSD umbrella agreement.

THE TRILATERAL AGREEMENT

On November 18, the Rada finally ratified the START treaty but with thirteen conditions, including security and financial concerns. The Ukrainian action also aimed at destroying only 42% of the nuclear warheads, and did not deal with the Lisbon Protocol and the NPT. The Rada's action raised serious concerns in Washington, with the U.S. reminding Kiev of its commitments to President Bush. The Rada action, however, did not preclude the U.S. from pursuing SSD implementing agreements. In December, in separate dates in

42 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

Kiev and Washington, the U.S. and Kiev signed five implementing agreements for SSD including a communications link, export controls, and control of fissile materials.

During this time the United States started another round of diplomacy aimed at getting Ukraine to fully ratify the treaty. The Rada action of November actually had given Kravchuk a yardstick against which to measure his negotiations with the U.S. and Russia. He could thus claim that he had fulfilled the Rada's mandate and leave the Rada exposed to redefining the criteria. On December 21 Kravchuk stated that a tripartite agreement on security, compensation and assistance would shortly be reached. The previous day Ukraine, in a sign of good faith, had begun the deactivation of 17 SS-24 missiles, which the West had feared would be retained by Ukraine. The stalemate was quickly broken when it was agreed to have a trilateral signing in Moscow on January 14, 1994.

The trilateral agreement provided for the transfer of Ukraine's nuclear weapons to Russia for dismantlement, outlined Russian compensation for the HEU in the transferred warheads and stated the security assurances Washington and Moscow were ready to provide Ukraine once Ukraine ratified START and acceded to the Nuclear Non-proliferation Treaty. The agreement was the outcome of intensive multilateral as well as bilateral negotiations the three parties had been conducting since the previous summer. The trilateral agreement gave each of the parties what it had sought: For the U.S. and Russia it gave a non-nuclear Ukraine, for Ukraine it gave it the security assurances and compensation it had long sought. Ukraine committed to eliminating all of its nuclear weapons within the seven year period outlined in the START Treaty. However, a secret protocol signed by Ukraine envisaged its actually ridding itself of the weapons within three years, a target that Ukraine met. On June 1, 1996, approximately 30 months after the Trilateral signing, President Kuchma of Ukraine announced that Ukraine had shipped the last of its nuclear warheads to Russia. The event was marked by a ceremony in which Secretary of Defense William Perry, joined by Ukraine's Minister of Defense Valery Shmarov and Russia's Pavel Grachev, planted sunflower seeds on a former missile silo site at Pervomaysk. In another reported secret protocol, Russia agreed to compensate Kiev for the tactical weapons it had shipped to Russia by writing off part of Ukraine's energy debt to

Russia. Ukraine and Russia reached agreement in May 1994 on the issue of compensation for the tactical weapons. Unfortunately, implementation of the agreement was delayed, based on political problems as well as the level of compensation. In May 1996 the two sides apparently reached agreement on a compensation package which awaits implementation. Russia agreed to a \$450 million figure, while Ukraine agreed that the money would be offset against Kiev's debt for Russian oil and gas.

In February 1994, Ukraine ratified the START Treaty, dropping its reservations of November 1993. However, it failed to vote NPT accession by about two dozen votes, leaving the matter to a new parliament that was to be elected starting in late March. Ironically, the Rada had insisted on security assurances all along and when it had the chance to realize them in the February vote, it fell short. One would have thought that, given Yuri Meshkov's election as president of Crimea in late January and his call for reunification with Russia, the Rada would have been spurred to act on NPT in order to get the assurances in place.

The new parliament acceded to the NPT in November 1994. At the December 5, 1994, CSCE meeting in Budapest, President Kuchma who succeeded President Kravchuk in July 1994, presented Ukraine's accession to the NPT, exchanged the START instruments of ratification, and Ukraine had security assurances pledged by the United States, Russia, and Britain. France and China also pledged similar assurances.

6.

FACTORS INFLUENCING UKRAINE'S RATIFICATION

Over the course of 1992 and 1993 a number of circumstances had changed, leading Ukraine to realize the importance of START ratification. In September 1992 Prime Minister Vitold Fokin resigned under pressure from democratic forces who believed he was not reforming the economy. In June 1993 the Donbass coal miner strike emphasized the political unhappiness that was marking the heavily Russified regions that had hoped for a better economic future in an independent Ukraine. In September of that year, then Prime Minister Kuchma had resigned, underscoring the ineffectiveness of the Ukrainian leadership and in particular emphasizing the lack of any coherent economic program. Economically and politically Ukraine was teetering. Russian nationalist Zhirinovsky's unexpected strong showing in the December 1993 Russian parliamentary elections drove home for Kiev the importance of finding a counter to possible Russian nationalism by cooperating with the United States. Growing unease about Crimea, where pro-Russian activism appeared to be increasing, also drove home for Ukraine the importance of a better relationship with the West. On a practical level, Ukraine had come to realize both the growing environmental threat if unserviced missiles began to leak as well as the political and economic costs of holding onto the missiles.

But there were a number of positive aspects that helped the Rada act. There was the trilateral agreement with Russia on the sharing of proceeds from the highly enriched uranium that was to be removed from the Ukrainian warheads. The congressional move in the summer of 1993 to provide \$300 million in assistance to

Ukraine, the United States statement of support of Ukraine's territorial integrity in the face of the July 1993 Russian parliament's claim to Sevastopol, the stated new policy of the administration toward Ukraine and agreement on security assurances, all played a role.

Even before the November ratification, the Rada had signalled its more constructive approach. On October 19, the Rada approved the military doctrine, one year after it first took it up. The doctrine stated Ukraine's goal of becoming a non-nuclear state, but linked this to security assurances and compensation, something the November ratification also did. By this time Ukraine had finally resolved the issue of defining an enemy. The noted doctrine stated Ukraine would view any state as an enemy if its policy was a military threat to Ukraine. The failed doctrine of the previous year had stated that Ukraine did not view any state as an enemy.

THE ROLE OF U.S. PRESSURE

U.S. pressure, however, continued throughout this process. Despite having laid down the verbal foundation of a new policy and pursuing the process of de facto implementation of START, the Clinton administration continued to maintain diplomatic and economic pressure on Kiev. In an effort to stymie the belief that some European states favored Ukraine retaining its nuclear weapons, the United States urged various European capitals to discuss the issue with Kiev and to tell Kiev it could not expect to receive economic assistance until it moved on START and NPT.

On July 3, 1993, Kravchuk, apparently eager to test the pledge of a new relationship by the Clinton administration forwarded a letter—in which he made the transparent connection between START and financial assistance—to the President regarding the upcoming G-7 meeting in Tokyo. No doubt his effort may have been spurred by his June 12 phone conversation with the President in which the President emphasized the importance of Ukraine and expressed his willingness to extend food credits and grants. Of the G-7, Kravchuk requested a \$100 million fund for small business development, a \$1 to 1.5 billion stabilization fund, an international disarmament fund, \$300 million for a privatization fund and

assistance to deal with the problems associated with Chernobyl. But the administration was not eager to assist the Ukrainian request.

Later that month Ukrainian officials were told that Ukraine's nuclear policy had affected the deliberations at Tokyo and that until Ukraine fulfilled its obligations it could not expect to gain full international status. They were also informed of U.S. dissatisfaction that Ukraine, unlike Russia, was not taking any steps toward economic reform and that many of the participants had been upset with Kiev's opposition to the U.S. bombing of Baghdad that month. Undaunted, the Ukrainians asked for a Kravchuk visit prior to the then scheduled Ukrainian September 26 referendum. (This was eventually changed to pre-term Presidential and Parliamentary elections for 1994). They were pointedly told, however, that for a visit to be approved, Ukraine would have to make progress on START and the NPT.

In July, the administration voiced its opposition to the McConnell aid action. Senator Mitch McConnell had become convinced that in order to underscore U.S. interest in Ukraine, it was important for the United States to provide some form of financial assistance. Moreover, sensitive to Ukraine's complaint that it had always been lumped with Russia, McConnell realized the importance of sponsoring aid that was specifically geared toward Ukraine—an issue that some U.S. officials had long been urging on two administrations, and which was a subject of discussions during the Senator's July visit. In November, 1992, Kravchuk made this desire clear when he told an interviewer that Ukraine wanted aid channeled to it directly, without being tied to the former Soviet Union or Russia. In the summer of 1993, Senator McConnell prevailed in allocating to Ukraine not less than \$300 million, thus keeping the door open to further assistance.

The administration, however, opposed the congressional move, and the State Department wrote the Hill stating the administration's objections. Ostensibly, the issue revolved around the administration's opposition to Congressional earmarks. But it soon became clear that a more generic opposition to Ukraine assistance existed. An NSC official reportedly claimed that Ukraine would not get any money and, furthermore, that Ukraine did not deserve any assistance, since Kiev had not undertaken any economic reforms as Russia had. When the Congressional action passed, the

administration claimed it was not binding. When A.I.D. started to act upon the congressional move, it was told by the NSC to ignore it. These actions did not go unnoticed by Ukraine. In September Ambassador Bilorus privately stated that Kiev had noticed a more positive stance by the congress, but that the administration was still not supportive of Ukraine. Despite Talbott's May visit to Kiev, it appears that it was the congressional action that brought the change in US-Ukraine relations. The Congress had removed the economic weapon that the administration had been using against Ukraine and which had not been very effective.

In October 1993, in an apparent effort to capitalize on the congressional action, a U.S. economic delegation visited Ukraine, seeking to pledge U.S. assistance with economic reforms separate of the nuclear issue. The administration was now willing to de-link economic aid and the nuclear weapons question, a message that was reinforced by Secretary Christopher's visit to Kiev later in the month.

Indeed, the promised congressional aid became a carrot for further moving Ukraine on the desired nuclear track. Despite the Rada's failure on NPT, Ukraine had started on the road to disarmament and its bilateral relationship with the United States was improving. During President Kravchuk's March, 1994, visit to the White House, it was announced that the first shipment of warheads was enroute to Russia for dismantlement. To cement the growing relationship, President Clinton announced a \$700 million aid package, divided evenly between Nunn-Lugar funds for de-nuclearization and economic assistance. The latter funds, reflecting the earlier congressional action, were contingent on Ukraine undertaking serious economic reform. The administration soon started to note that Ukraine was one of the largest recipients of United States assistance.

THE ISSUE OF SECURITY ASSURANCES

From the outset of the bilateral relationship, Kiev had been seeking security assurances from the United States. While Kiev never considered it could be a member of NATO, officials did hint at various times Ukraine's desire to have a NATO-like umbrella, whereby it would fall under U.S. protection in the event of an attack. On January 20, 1993, Dmytro Pavlychko, Chairman of the

Rada Foreign Affairs Committee, and Rada Deputy Larisa Shoryk, visited me in my office prior to the Embassy's Inaugural celebration for President Clinton. Pavlychko handed me a draft treaty proposal obligating the United States to come to Ukraine's military defense in the event of an attack on Ukraine. He stated that a legally binding treaty giving Ukraine security assurances would also be sought of Russia. While the Pavlychko draft was a non-starter, the incident did serve to magnify the central role of security in the whole nuclear weapons issue.

In March 1992, then Environmental Minister Scherbak made an impassioned plea for security assurances, during his visit to the White House. During President Kravchuk's May 1992 visit to the White House, the Ukrainians, spearheaded by Foreign Minister Zlenko, sought to capitalize on President Bush's positive words on Ukraine by hammering Secretary Baker on the issue of security assurances. Prior to the luncheon in the Old Family Dining Room on the State Floor, while the President and Kravchuk lagged behind, the two delegations gathered in the Red Room to pursue the discussion. Baker, with his voice rising, and his hand chopping the air was emphatic that the United States could not give security assurances. If Ukraine were to receive them, then other countries, such as Poland and Hungary, which already expressed interests in this direction would demand similar assurances. Where would the process end Baker demanded rhetorically? The Ukrainians were unmoved and, as if not hearing Baker's discourse, kept coming back to their demand. They wanted not only a guarantee against aggression but against the threat of aggression as well, to which Baker retorted, without getting a response, of who would define all this.

When President Bush and Kravchuk entered the room they joined in the discussion. Kravchuk pointed out that the United States has NATO for security. The President countered that is what the role of the Helsinki process and the CSCE is all about. With the issue unresolved, the entourage moved to the dining room, but as the weeks passed the issue kept becoming increasingly important.

In late June 1992, the United States, while not explicitly offering security assurances, made a number of commitments that were aimed at easing Kiev's concerns. The United States pledged to seek immediate action at the UN Security Council to give assistance to a non-nuclear Ukraine if it were attacked or threatened

by nuclear weapons. Furthermore, the United States stated the importance of Ukraine's armed forces for providing security and the United States' readiness to help develop a Ukrainian armed force whose size and equipment would put it in a position to defend Ukraine. The United States also noted the importance of Ukraine's undertaking political and economic reforms as a means for maintaining security and pointed to the need for Ukraine to become fully integrated into the international community, particularly by participation in such bodies as the United Nations, the Conference on Security and Cooperation in Europe and the North Atlantic Coordinating Council.

The U.S. view began to shift by autumn 1992 to the point where the idea of security assurances for Ukraine became a viable option. Scowcroft had always believed that assurances would help encourage Kiev to move forward on START ratification but that there was no way that the United States would be able to give Ukraine a security guarantee, that is, a legally binding agreement committing the United States to the defense of Ukraine. The issue, as Scowcroft viewed it, was the compromise agreement that both the United States and Ukraine would settle for. Thus, in the Autumn of 1992 commenced an intricate pattern of negotiations aimed at satisfying both sides' needs. The talks also involved the Russians and the British.

UKRAINE'S SECURITY CONCERNS

A country devoid of natural borders, with a rich agricultural soil, and a crossroads between Europe and Asia, Ukraine has historically been a target of aggression or the site of empires fighting out their colonial drives. And none of the historical occupations have been conducive to Ukraine's development. Indeed, they have aimed at destroying the Ukrainian identity, focusing on barring the use of the Ukrainian language as the Czars did in the 19th century, as well as in physically attempting to crush the national spirit as witnessed by the forced migrations to Siberia and the Soviet induced famine of the 1930s. Given this historical background, one can understand Ukraine's concerns regarding possible Russian intentions.

But there is another dimension. Historically, pressed from various sides, Ukraine has sought to gain its security by appealing to or allying itself with outside forces. Ukraine has never had the

internal experience or resources to maintain its security in the face of the constant pressures it has faced. Ukraine's inordinate emphasis on the nuclear weapons, therefore, should have come as no surprise. The weapons were a vehicle for leveraging security assurances and for making sure they fit Ukraine's needs as it sees them.

Complicating this security dilemma is the fact that Ukraine's contemporary borders were artificially produced. While encompassing much of the ethnic and historical territory conceived of as Ukraine, the borders were created by the Soviet regime through a combination of readjusting the borders with Ukraine's neighbors and, in a most glaring example, by bequeathing Crimea to Ukraine in 1954. In these circumstances Ukraine sees its security potentially threatened on many fronts.

What the West initially failed to grasp was the powerful historical basis of Ukraine's approach. And while the West eventually came to appreciate Ukraine's concerns, Kiev did not see the West as willing to defend Ukraine. Ukraine needs to be visibly assured of its security. It needs this crutch as an interim approach while it learns to build its own security from internal sources, including the structuring of conventional forces as well as economic and political reform.

The concerns over Russia were evident both by how events were unfolding in Russia and Moscow's attempts to undermine Ukraine's image. On November 22, Nunn and Lugar came to Kiev concerned by reports in Western media and in other CIS states regarding Ukrainian intentions on START ratification. That Sunday evening, they met with Kravchuk, who made an exception to his rule of not holding Sunday meetings. Kravchuk reaffirmed his commitment to go non-nuclear, but emphasized the importance of obtaining security assurances. He expressed particular concern that the conservative forces in Russia may present Yeltsin with political problems that can impact on Ukraine.

That much of the hysteria regarding Ukraine's nuclear intentions was fueled by Russia was a perspective that the Senators carried in the back of their minds. At various times Russia had claimed to U.S. officials that Ukraine was developing launch codes, that Ukraine would be able to fire missiles in 12-18 months, that Ukraine cannot properly maintain the missiles, that nuclear

accidents were a possibility and that Moscow believed that Kiev wanted to go nuclear.

NEGOTIATIONS OVER SECURITY ASSURANCES

On October 2, 1992, a delegation headed by Undersecretary Wisner arrived in Kiev to discuss nuclear issues. In the ensuing discussions, Ukraine proposed a United Nations resolution sponsored by the "Perm Five" regarding security assurances that would help ease START ratification.

By mid-November, 1992, discussions with Ukraine were proceeding along the line of the possibility of a joint US-Russian security assurance and the possible language that any prospective statement would involve. Kiev agreed with the U.S.-proposed basic principles—the main feature being the pledge contained in the June commitment about going to the United Nations in the event of a nuclear attack or nuclear threat against Ukraine. Discussion also centered on the type of statement it should be, and settled on the goal of a joint US-Russian statement and the prospect of it being issued at a Presidential level.

Ukraine was willing to accept the proposed U.S. security assurances but with a number of changes. Kiev wanted Ukraine specifically named throughout the agreement. Kiev was concerned that the language Washington was prepared to offer was standard language drawn from existing international agreements and treaties. Kiev wanted original language geared toward recognizing Ukraine's unique position as a country willing to give up its nuclear arsenal. Ukraine also wanted a specific guarantee against economic coercion as well as a guarantee against conventional attack. This latter point was somewhat moot, since the proposed assurances spoke of respect for the independence of the CSCE member states (which included Ukraine), respect for each CSCE country's existing borders and of refraining from the threat or use of force against the "territorial integrity" of the newly independent states of Ukraine, Belarus, and Kazakhstan.

By early January 1993, however, the negotiations met a bump. Pavlychko stated that Parliament had upped the ante: he claimed that a statement of assurances was insufficient and that a security treaty with a juridical basis was necessary. The British were also

told by the Ukrainians that Kiev would want a public statement on assurances prior to the Rada's debate since this would allegedly assist in START passage.

In his early January 1993 visit to Washington, Tarasiuk raised the issue of assurances but made no mention of the Pavlychko gambit. He gave the standard commitment that START would get priority treatment once the Rada reconvened in January. U.S. officials complained that while the United States had been forthcoming on assurances, Nunn-Lugar funding and the need for Ukrainian-Russian profit sharing on HEU, this had only led to increased demands by the Rada. Nonetheless, Tarasiuk was given a copy of the proposed United States assurances after his 10-minute Oval Office meeting with President Bush on January 8.

The assurances provided to Tarasiuk included commitments on the part of the United States that would also be expected to be provided by Russia to Ukraine. The U.S. commitments were drawn from previous public commitments. The United States pledged as it did in 1968 to non-nuclear NPT members, to assist Ukraine, as a member of the NPT, by seeking immediate action by the UN Security Council if Ukraine were attacked or threatened by nuclear weapons. Next, the United States pledged not to use nuclear weapons against any non-nuclear weapons state that was part of the NPT unless the United States was attacked by a nuclear state with which the non-nuclear state was allied. This was a pledge that the United States had also made to non-nuclear NPT members in 1978. The United States also pledged to respect the independence of Ukraine, Ukraine's existing borders and noted that border changes could only be made by peaceful means; all these were in keeping with the CSCE charter that the United States signed in 1975. And, finally, the United States committed itself not to use the threat or use of force against any state (Ukraine), only in self defense and in accordance with the charter of the United Nations.

Kravchuk, however, believed that the assurances were not specific enough and wanted to re-open the dialogue. The Foreign Ministry claimed that the U.S. proposal did not meet Ukraine's security concerns. The assurances did not contain the economic or conventional guarantees that Ukraine had been seeking. In fact, Kiev had already received the Russian text, which it also found unacceptable since it would recognize Ukraine's borders in the context of the CIS. Because Ukraine was not willing to join a

54 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

political union it, therefore, viewed Russia's proposal as a threat against its security rather than as an assurance. The Russian text closely paralleled the U.S. draft, except for substituting CIS provisions in place of the CSCE. However, the Russians did pledge that disputes between CIS states would be resolved through peaceful means and that this applied to Ukraine.

At their January 15 meeting in Moscow, Yeltsin stated to Kravchuk Russia's willingness to supply security assurances against both nuclear and conventional attack, to Ukraine. Yeltsin had personally directed Kozyrev to come up with language that would please Ukraine and that Russia would be willing to provide the assurances prior to ratification but that they would take effect only after ratification took place. This language was a source of dispute between the United States and Ukraine. Washington believed that it was not wise to make the assurances public in advance of ratification, since it would open the possibility that Parliament could use this to its advantage to pressure the United States into more concessions.

In February, the United States approached Moscow to provide Ukraine assurances in the framework of the CSCE rather than the CIS. While Russia accepted the proposal, it still insisted on retaining the CIS language. Moscow's rationale was that the CSCE, signed in 1975, did not cover the Ukrainian-Russian border since this was not an international border in 1975 and thus the CIS language was better protection for Ukraine. But this kind of thinking could only raise concerns about Russia's intentions toward the republics and its eventual role in the region of the former Soviet Union. The State Department expressed its concerns to the Russian government.

On February 26 Ukraine got a new draft text from Russia still containing the CIS language that continued to perturb Kiev. Tarasiuk spoke with Russian Deputy Foreign Minister Berdennikov about it, but the latter adamantly claimed that there could be no more changes.

Kiev was doubly unnerved when Yeltsin called for Russian peacekeeping in the CIS and Kozyrev made mention of Ukraine as being a mythical state. These actions—plus Kozyrev's "joke" in December, 1992, at the Stockholm CSCE meeting when he publicly raised the specter of an obstructionist Russian foreign policy if the conservative nationalist forces took control of Moscow—Tarasiuk

claimed were signs of Moscow's true intentions. Zlenko called Kozyrev's Stockholm remarks an echo of old imperial thinking. And on March 5 Kravchuk complained that Yeltsin's comment regarding Moscow's desire to guarantee peace in the former soviet space went beyond acceptable bounds.

By mid-March, 1993, however, Washington had reconsidered its position on some of the Ukrainian concerns and had drawn up economic assurances derived from the CSCE language. However, the United States was still unwilling to approach Kiev with this change until Russia was willing to do likewise.

Ukraine continued to push for legally binding assurances. On June 28, 1993, Tarasiuk outlined that Kiev was working a "legally binding" multiple security assurances document to be presented to the United Nations Security Council Perm Five. This brought the whole process back to the October 1992 starting point. Tarasiuk presented this document to Talbott at their July 22 meeting in Washington but was told that the United States could not support a legally binding instrument. During Talbott's May 1993 visit to Kiev to lay the beginning of a new relationship, the Ukrainians had broached the idea of a legally binding treaty akin to the Austria State Treaty as a means to guarantee Ukraine's security. Talbott's delegation brushed the suggestion aside, noting it took ten years to negotiate such a treaty and that such a route would create more problems than it would solve, including delaying the implementation of Ukraine's nuclear commitments. And so the process continued until the January 14 Trilateral Statement outlined the fully acceptable security assurances Ukraine would receive after START ratification and accession to the NPT.

Kiev received most of what it had sought: a high level and public endorsement of the assurances by Presidents Clinton, Kravchuk, and Yeltsin; assurances from Russia; assurances against economic coercion; and no language on the CIS. For all practical purposes, the assurances can be viewed as having been granted before ratification, since the final ratification that removed the November 1993 conditions did not take place until February 1994. At the December 5, 1994, CSCE meeting in Budapest, the assurances came into formal play when Ukraine presented its accession to the NPT, which had been acted on by its parliament the preceding month. In addition, Britain, France and China have provided the same assurances thus fulfilling Ukraine's desire that

56 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

the UN Perm five grant assurances even though this is outside the parameters of a formal UN pledge.

Ukraine, however, will always judge its security by the actions of Moscow rather than by any pledges it may receive. And the rumors of Russian machinations are numerous. According to the Foreign Ministry Russian Ambassadors in Eastern Europe were warning those governments not to deal with Ukraine, since Ukraine was in Russia's sphere of influence. The fear of future action, either through the withholding of energy supplies by Moscow or by its exploitation of the Black Sea Fleet issue or the Russian minority will always be in the back of Kiev's mind.

7.

CONCLUSION

Brent Scowcroft has stated in hindsight that it was a mistake for the United States to have concentrated so much of its bilateral effort on the nuclear question. The Clinton administration had the benefit of the travails of its predecessor and, while it started off on a sour note, appears to have steadied the relationship and embarked on a broader relationship with Ukraine. This development is a cause for optimism.

For the United States, over the course of two administrations, nuclear weapons had been the focus of the bilateral relationship. Ukraine has now moved to fulfill its obligations in this domain. The real test of United States policy, therefore, is only beginning. With nuclear weapons the focus, it was easy to structure diplomatic and economic incentives and pressures toward this goal and to maintain a stake in Ukrainian affairs. Once the weapons are removed, the United States has to address the issue of what kind of Ukraine is in its national interest and what kind of energies and resources Washington has at its disposal and, more importantly, will be willing to exert on behalf of a constructive policy.

Outside of the policy challenges the United States will face, there are a number of lessons that can be learned from the handling of the issue. Clearly, the United States achieved its objectives, both in a narrow and a broad sense: Ukraine fulfilled its pledge to become a non-nuclear state and this, in turn, will stem the possibility of nuclear proliferation in the region and lead to a greater degree of stability, both important developments for U.S. national interests. In achieving this, the United States has also gained a greater appreciation of Ukraine's regional role and of its concerns, and is establishing a working relationship with Kiev, thereby enhancing U.S. political flexibility in the region which is also a potentially important security development for Washington. While these are actual or potential successes, there were a number

of hurdles that Washington had to overcome to get to this stage. Unfortunately many of these hurdles had been erected by the United States itself, thereby hampering Washington's maneuverability in the early stages. The Bush administration, emphasizing the legal ratification process, did not take into greater appreciation the de facto steps toward denuclearization Ukraine was willing to undertake. Furthermore, the administration was hampered by the fact that Nunn-Lugar funds could only be released after START ratification. Under the Clinton administration, there was a reinterpretation, whereby Nunn-Lugar funds could be released for dismantlement purposes prior to ratification, a point that was announced during Ukrainian Defense Minister Morozov's July 1993 visit to Washington. The lesson one carries from this is to not limit one's potential options that can serve, as they did for the late Secretary Aspin, as a means for furthering a policy objective. Also, with the impending change of administrations, the Bush administration wanted to end its term with complete arms control agreements. Thus, the signing of the START II Treaty in January, 1993, and the pressure on Ukraine to act on START I. But, the main problem from the U.S. side was that Washington at first viewed the nuclear issue as a bilateral United States-Ukrainian issue.

Ukrainians themselves realized the importance of Russia in this process, more than that of the United States. In April, 1993, the government newspaper *Uriadovii Kur'er* ran an interview with Tarasiuk who focused his comments on Russia, including the compensation issue, and failure for progress in their bilateral nuclear talks. In addition, Tarasiuk expressed understanding for the United States concern over nuclear weapons since the Ukrainian missiles were aimed at the United States.

Some U.S. officials had cautioned that the issue was really a Ukrainian-Russian issue but Washington continued to view it bilaterally and believed that through a policy of verbal admonition it would be able to get Kiev to act accordingly. Not until the fall of 1992 did this view change.

Starting then, and intensifying in the Clinton administration, the United States was able to skillfully involve Moscow in the negotiating process. This had a two-fold effect. It reassured Kiev that the United States was sensitive to its historic as well as current concerns regarding Russia, and at the same time helped to reassure

Moscow that the United States was, indeed, seeking a solution that would not be aimed against or be at the expense of Russia. A number of points fit this mold. (The United States was able to reassure Kiev of its independence by agreeing to the Lisbon Protocol, which while leading to having the treaty bogged down in the Ukrainian Parliament, did make Ukraine a separate party to the START I Treaty, thus enhancing its status as an independent State). First, by insisting that Moscow needed to arrive at an agreement with Kiev on the profits from the HEU before U.S. payments would be made to Russia, the United States created some pressure for Russia in its negotiations with Ukraine. Second, the United States was able to maneuver the security assurances for Ukraine over the shoals of both Ukrainian and Russian concerns and objections. Even before these events, Washington had sought to placate the Ukrainian side and achieve a balance between Kiev and Moscow. The further skill with which the United States was able to carry out this trilateral diplomacy was Washington's ability to withstand Moscow's pressure to be even tougher in its negotiations with Kiev, while at the same time not offending Moscow. While this trilateral diplomacy was extremely successful, marking the skills of U.S. diplomacy, it was aided in no large part by Moscow's own desire to rid Ukraine of nuclear weapons and Moscow was well aware that with Ukraine Washington had more credibility and leverage than it did given the historical Ukrainian-Russian relationship. This mutual goal, undoubtedly, permitted the trilateral diplomacy to reach fruition.

Irrespective of the initial difficulties, the United States did adhere to a set of diplomatic principles that eventually led to success. U.S. diplomacy was quite successful throughout the whole process, exhibiting a blend of flexibility and creativeness that met both U.S. objectives and served to reassure Kiev. The United States did not lose sight of its goal, the removal of nuclear weapons, and did not sacrifice that objective throughout the whole process. This accomplishment served to reinforce for Kiev the seriousness of the U.S. approach as well as the futility of Ukraine seeking to possibly hold on to the weapons. However, the United States was flexible in examining what Ukraine sought in exchange, as witnessed by the negotiations over security assurances.

While the United States was willing to entertain the idea of security assurances, it was not willing to provide ones that would be

legally binding. This was made clear to Ukraine, by providing Ukraine with a draft which Washington expected to be the working document. At the same time, the United States made clear that it welcomed Ukraine's views and, in some cases, such as with the incorporation of assurances against economic coercion, was willing to accept Ukraine's suggestions. Starting with the initial draft, any acceptable amendments therefore served to reassure Kiev that the United States was, indeed, looking out not only after its own interests, but after Kiev's as well.

Equally important is the political climate in which negotiations are taking place. The atmosphere improved with the Talbott visit of May and with the vote of Congressional assistance. This experience underscores the importance of broader tangential issues and the influence that they may have on a specific negotiation.

Furthermore, the Embassies in Kiev and Moscow were utilized throughout the whole process and each was able to contribute ideas and suggestions that helped to move the process forward. This only serves to reinforce the importance of U.S. diplomatic missions and the need of having skilled observers and negotiators on the scene.

One also cannot dismiss the cultural influences that Washington had to deal with. Having been a submerged nation for centuries, there was limited appreciation in Washington of the historical and cultural motivations in Kiev. There was a learning process for Washington policymakers, whereby outside the words of recognizing Ukraine as an independent state, they had to come around to dealing with and treating it as an independent state and this meant respecting its positions and negotiating rather than dictating or expecting automatic action.

A further issue was the role of Congress. Senators Nunn and Lugar made two trips to Ukraine in 1992 both for the express purpose of pushing the ratification of START. This strong interest in and direct involvement in the process of diplomacy was something that no administration could withstand and that probably added to the overall early inflexibility that the United States has exhibited over the subject. Congressional support of foreign policy is extremely important and active involvement of individual representatives has been long standing. But care needs to be taken that such involvement not be independent of or be viewed as independent of the executive, thereby complicating the process of diplomacy.

Outside of the success of the nuclear policy, the most important development is the political precedent that has been established. The trilateral diplomacy, in particular the Trilateral Agreement of January, 1994, has established the basis for future U.S. involvement in the region of the former Soviet Union. Having successfully dealt with Moscow over an important international issue—Ukraine's nuclear weapons—Washington can conceivably offer its offices in future disputes. In such a case, Washington would undoubtedly always have the support of at least one of the aggrieved parties, that is any of the former republics, since they would view Washington as a more credible mediator and a balance against Moscow. Indeed, at some point it is possible that Washington may not have a choice. The Trilateral Agreement, if called into force by Kiev, would make it incumbent upon Washington to respond at least in a diplomatic fashion on Kiev's behalf. Whether because of this diplomatic commitment or by the past de facto engagement, the United States has theoretically established the basis for future involvement in the former Soviet bloc. The greatest limitation to this would be self-imposed: to what degree does Washington have the political will to shape the region's events without fearing a possible Russian backlash.

The evolution of the post-Soviet region is still taking place and it is not entirely certain how things may turn out. As a result, it is important for the West and the United States in particular to stay actively involved in all areas of the emerging order to make certain that events continue to take a positive course. It appears that the West now has a greater appreciation of Ukraine's value as an economic and political partner. Ukraine however, has a long way to go before it attains a high level of economic and political well being. But Ukraine cannot accomplish its objectives alone; it will require international assistance and understanding. Ukraine and the West are at a historical crossroad: How they solve the challenges may well define Ukraine's future and the future of the European region.

APPENDIX A: **Trilateral Statement**

THE WHITE HOUSE

Office of the Press Secretary
(Moscow, Russia)

For Immediate Release

TRILATERAL STATEMENT AND ANNEX: SUMMARY

The Trilateral Statement and Annex signed by Presidents Yeltsin, Kravchuk and Clinton represent a significant victory for all three countries. They culminate a trilateral process begun last summer -- at U.S. initiative -- to assist Russia and Ukraine in resolving the complex questions regarding nuclear weapons located on Ukrainian territory.

The Statement and Annex provide for transfer of all nuclear weapons in Ukraine to Russia for dismantlement; specify prompt compensation by Russia to Ukraine for the highly-enriched uranium (HEU) in transferred nuclear weapons; preview security assurances the U.S., Russia and United Kingdom will provide Ukraine on its accession to the Non-Proliferation Treaty (NPT) as a non-nuclear weapons state; and reaffirm U.S. commitment to assist the safe and secure dismantlement of nuclear forces.

The Presidents look forward to early entry-into-force of START I, including the Lisbon Protocol and associated documents, which commit Ukraine to accede to the NPT in the shortest possible time and eliminate all nuclear arms on its territory.

The Presidents note that arrangements have been worked out to provide Ukraine, Kazakhstan and Belarus with fair and timely compensation for the value of the HEU in nuclear weapons on their territory. For its part, Ukraine will receive compensation simultaneously with the transfer of weapons to Russia.

Presidents Clinton and Yeltsin informed President Kravchuk of the security assurances the U.S., Russia and United Kingdom (the NPT depositary states) will provide Ukraine once START I enters into force and Ukraine joins the NPT. These include commitments: to respect Ukraine's independence and sovereignty and refrain from the threat or use of force against it; to refrain from economic coercion; to seek UN Security Council assistance if Ukraine should be the object of a threat involving nuclear weapons; and not to use nuclear weapons against it.

President Clinton reaffirmed the U.S. commitment to assist the safe and secure dismantlement of nuclear forces. The U.S. has to date agreed to provide almost 800 million dollars in Nunn-Lugar funds for projects in Russia, Ukraine, Kazakhstan and Belarus. Additional funds have been authorized by Congress.

64 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

January 14, 1994

TRILATERAL STATEMENT BY THE PRESIDENTS OF THE UNITED STATES, RUSSIA AND UKRAINE

Presidents Clinton, Yeltsin and Kravchuk met in Moscow on January 14. The three Presidents reiterated that they will deal with one another as full and equal partners and that relations among their countries must be conducted on the basis of respect for the independence, sovereignty and territorial integrity of each nation.

The three Presidents agreed on the importance of developing mutually beneficial, comprehensive and cooperative economic relations. In this connection, they welcomed the intention of the United States to provide assistance to Ukraine and Russia to support the creation of effective market economies.

The three Presidents reviewed the progress that has been made in reducing nuclear forces. Deactivation of strategic forces is already well underway in the United States, Russia and Ukraine. The Presidents welcomed the ongoing deactivation of RS-18s (SS-19s) and RS-22s (SS-24s) on Ukrainian territory by having their warheads removed.

The Presidents look forward to the entry into force of the START I Treaty, including the Lisbon Protocol and associated documents, and President Kravchuk reiterated his commitment that Ukraine accede to the Nuclear Non-Proliferation Treaty as a non-nuclear-weapon state in the shortest possible time. Presidents Clinton and Yeltsin noted that entry into force of START I will allow them to seek early ratification of START II. The Presidents discussed, in this regard, steps their countries would take to resolve certain nuclear weapons questions.

The Presidents emphasized the importance of ensuring the safety and security of nuclear weapons pending their dismantlement.

The Presidents recognize the importance of compensation to Ukraine, Kazakhstan and Belarus for the value of the highly-enriched uranium in nuclear warheads located on their territories. Arrangements have been worked out to provide fair and timely compensation to Ukraine, Kazakhstan and Belarus as the nuclear warheads on their territory are transferred to Russia for dismantling.

Presidents Clinton and Yeltsin expressed satisfaction with the completion of the highly-enriched uranium contract, which was signed by appropriate authorities of the United States and Russia. By converting weapons-grade uranium into uranium which can only be used for peaceful purposes, the highly-enriched uranium agreement is a major step forward in fulfilling the countries' mutual non-proliferation objectives.

The three Presidents decided on simultaneous actions on transfer of nuclear warheads from Ukraine and delivery of compensation to Ukraine in the form of fuel assemblies for nuclear power stations.

Presidents Clinton and Yeltsin informed President Kravchuk that the United States and Russia are prepared to provide security assurances to Ukraine. In particular, once the START I Treaty enters into force and Ukraine becomes a non-nuclear-weapon state party to the Nuclear Non-Proliferation Treaty (NPT), the United States and Russia will:

- Reaffirm their commitment to Ukraine, in accordance with the principles of the CSCE Final Act, to respect the independence and sovereignty and the existing borders of the CSCE member states and recognize that border changes can be made only by peaceful and consensual means; and reaffirm their obligation to refrain from the threat or use of force against the territorial integrity or political independence of any state, and that none of their weapons will ever be used except in self-defense or otherwise in accordance with the Charter of the United Nations;
- Reaffirm their commitment to Ukraine, in accordance with the principles of the CSCE Final Act, to refrain from economic coercion designed to subordinate to their own interest the exercise by another CSCE participating state of the rights inherent in its sovereignty and thus to secure advantages of any kind;
- Reaffirm their commitment to seek immediate UN Security Council action to provide assistance to Ukraine, as a non-nuclear-weapon state party to the NPT, if Ukraine should become a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used; and
- Reaffirm, in the case of Ukraine, their commitment not to use nuclear weapons against any non-nuclear-weapon state party to the NPT, except in the case of an attack on themselves, their territories or dependent territories, their armed forces, or their allies, by such a state in association or alliance with a nuclear weapon state.

Presidents Clinton and Yeltsin informed President Kravchuk that consultations have been held with the United Kingdom, the third depository state of the NPT, and the United Kingdom is prepared to offer the same security assurances to Ukraine once it becomes a non-nuclear-weapon state party to the NPT.

President Clinton reaffirmed the United States commitment to provide technical and financial assistance for the safe and secure dismantling of nuclear forces and storage of fissile materials. The United States has agreed under the Nunn-Lugar program to provide Russia, Ukraine, Kazakhstan and Belarus with nearly USD 800 million in such assistance, including a minimum of USD 175 million to Ukraine. The United States Congress has authorized additional Nunn-Lugar funds for this program, and the United States will work intensively with Russia, Ukraine,

66 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

3

Kazakhstan and Belarus to expand assistance for this important purpose. The United States will also work to promote rapid implementation of the assistance agreements that are already in place.

For the United States of America:
WILLIAM J. CLINTON

For Ukraine:
LEONID KRAVCHUK

For the Russian Federation:
BORIS YELTSIN

ANNEX TO THE JANUARY 14 TRILATERAL STATEMENT BY
THE PRESIDENTS OF THE UNITED STATES, RUSSIA AND UKRAINE

The three Presidents decided that, to begin the process of compensation for Ukraine, Russia will provide to Ukraine within ten months fuel assemblies for nuclear power stations containing 100 tons of low-enriched uranium. By the same date, at least 200 nuclear warheads from RS-18 (SS-19) and RS-22 (SS-24) missiles will be transferred from Ukraine to Russia for dismantling. Ukrainian representatives will monitor the dismantling of these warheads. The United States will provide USD 60 million as an advance payment to Russia, to be deducted from payments due to Russia under the highly-enriched uranium contract. These funds would be available to help cover expenses for the transportation and dismantling of strategic warheads and the production of fuel assemblies.

All nuclear warheads will be transferred from the territory of Ukraine to Russia for the purpose of their subsequent dismantling in the shortest possible time. Russia will provide compensation in the form of supplies of fuel assemblies to Ukraine for the needs of its nuclear power industry within the same time period.

Ukraine will ensure the elimination of all nuclear weapons, including strategic offensive arms, located on its territory in accordance with the relevant agreements and during the seven-year period as provided by the START I Treaty and within the context of the Verkhovna Rada Statement on the non-nuclear status of Ukraine. All SS-24s on the territory of Ukraine will be deactivated within ten months by having their warheads removed.

Pursuant to agreements reached between Russia and Ukraine in 1993, Russia will provide for the servicing and ensure the safety of nuclear warheads and Ukraine will cooperate in providing conditions for Russia to carry out these operations.

Russia and the United States will promote the elaboration and adoption by the IAEA of an agreement placing all nuclear activities of Ukraine under IAEA safeguards, which will allow the unimpeded export of fuel assemblies from Russia to Ukraine for Ukraine's nuclear power industry.

#

APPENDIX B:

Resolution of the Supreme Rada of Ukraine

DEPARTMENT OF STATE EUROPEAN AFFAIRS

PAGE 01 OF 02 GENEVA 01166 RD OF 03 081358Z 0304922 S049374

INFO: 80 (U) K2 (U) 07 (U) SOEC (U) CST (U) WST (U) P05 (U)

PMF (U) PMG (U) PRA (U) PMS (U) PMI (U) PAC (U)

08/1402Z AZ TR (TOTAL COPIES: 013)

ACTION ACDA-17

INFO: LOG-00	ACDE-00	AF-00	AMAD-00	ARA-00	CFE-00	OASY-00
EAP-00	ED-00	EUR-00	H-00	TDE-00	IND-00	10-16
I-00	ADS-00	HEA-00	HRD-00	NSAE-00	DES-00	OC-00
PA-00	PER-00	PBS-00	P-00	SAP-00	SP-00	SSD-00
SS-00	T-00	USIE-00	SA-00	SWIS-00	WISC-00	
/03/93-----231EEF 081402Z /38						

O 081358Z FEB 94

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 4378

INFO KREMLIN MOSCOW PRIORITY

MISSION USDAO PRIORITY

KREMLIN KIEV PRIORITY

KREMLIN ALMATY PRIORITY

SECDEF WASHDC IMMEDIATE

JCS WASHDC IMMEDIATE

NSC WASHDC IMMEDIATE

OSIA WASHDC IMMEDIATE

DSIA WASHDC IMMEDIATE

DIA WASHDC IMMEDIATE

DIA WASHDC IMMEDIATE

DDA WASHDC IMMEDIATE

UNCLAS GENEVA 01166

DEPT FOR T- PM, EUR AND S/DEL; DOD FOR ALESSI/JM-1;
JCS FOR JS/DODN AND JS/NDI; SECDEF FOR DSD/ISP;

ODS/SACOC; CIA FOR CIO/EAC/ACI; ACDA FOR DIRECTOR;
OSIA FOR DIRECTOR; DEP DIP-EA-DIA WSC FOR ANDRESEN;
DIA FOR OPAC AND OPNSA DIA FOR PAN-JD

E.O. 12356: K/R
TAG: PARM, INF, STAB, US, BO, KZ, RS, OP
SUBJECT: OFFICIAL TRANSLATION OF THE UKRAINIAN
RESOLUTION OF RATIFICATION OF START

1. UNCLASSIFIED -- ENTIRE TEXT.

2. THE TEXT AT PARAGRAPH 3 BELOW IS THE OFFICIAL
TRANSLATION OF THE UKRAINIAN RESOLUTION OF RATIFICATION
OF THE START TREATY; THIS DOCUMENT WAS PROVIDED BY THE
UKRAINIAN DELEGATION TO THE U.S. AND OTHER PARTIES AT
THE SVK.

3. BEGIN TEXT:

OFFICIAL TRANSLATION

RESOLUTION
OF THE SUPREME RADA OF UKRAINE

ON IMPLEMENTATION BY THE PRESIDENT OF UKRAINE AND
THE GOVERNMENT OF UKRAINE OF THE RECOMMENDATIONS
CONTAINED IN PARAGRAPH 11 OF THE RESOLUTION
OF THE SUPREME RADA OF UKRAINE
ENTITLED "ON RATIFICATION OF THE TREATY
BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS

AND THE UNITED STATES OF AMERICA
ON THE REDUCTION AND LIMITATION OF
STRATEGIC OFFENSIVE ARMS,

SIGNED IN MOSCOW ON JULY 31, 1991,

AND THE PROTOCOL THERETO, SIGNED ON BEHALF OF

GENEVA 01166 RD OF 03 081358Z 0304922 S039362
Ukraine in Lisbon on May 23, 1992.

THE SUPREME RADA OF UKRAINE

- TAKING INTO ACCOUNT THE SPECIFIC MEASURES
ENTHUSED BY THE PRESIDENT AND GOVERNMENT OF UKRAINE
DURING THE PERIOD NOVEMBER 1992-JANUARY 1994 TO
IMPLEMENT THE PROVISIONS OF THE RESOLUTION OF THE

SUPREME RADA OF NOVEMBER 18, 1992;

- BASED ON THE RESULTS OF THE MEETING BETWEEN THE
PRESIDENTS OF UKRAINE, THE UNITED STATES OF AMERICA AND
THE RUSSIAN FEDERATION IN MOSCOW ON JANUARY 31, 1994,
AND THE TRI-LATERAL STATEMENT AND THE ANNEX THERETO;
SIGNED BY THEM;

- CONSIDERING THE FACT THAT UKRAINE HAS RECEIVED
CONFIRMATION FROM THE PRESIDENTS OF THE U.S. AND RUSSIA
OF THEIR WILLINGNESS TO PROVIDE UKRAINE WITH NATIONAL
SECURITY GUARANTEES FOLLOWING ENTRY INTO FORCE OF THE
START I TREATY AND UKRAINE'S ACCESSION TO THE TREATY ON
THE NON-PROLIFERATION OF NUCLEAR WEAPONS (NPT) AS A
NON-NUCLEAR-WEAPON STATE; AND CONSIDERING THE
OBLIGATIONS OF THE UNITED STATES OF AMERICA, THE RUSSIAN
FEDERATION, AND GREAT BRITAIN IN REGARD TO UKRAINE; TO

RESPECT ITS INDEPENDENCE, SOVEREIGNTY AND EXISTING
BORDERS; TO REFRAIN FROM THE THREAT OR USE OF FORCE
AGAINST ITS TERRITORIAL INTEGRITY OR POLITICAL
INDEPENDENCE; TO REFRAIN FROM ECONOMIC PRESSURE; AND
THEIR OBLIGATIONS NOT TO USE ANY WEAPONS AGAINST UKRAINE;

- TAKING INTO ACCOUNT THE CONFIRMATION BY THE
PRESIDENTS OF UKRAINE, THE U.S. AND RUSSIA THAT THE
RELATIONS BETWEEN THEM WILL BE BASED ON RESPECT FOR THE
INDEPENDENCE, SOVEREIGNTY, AND TERRITORIAL INTEGRITY OF
EACH STATE AND THE CONFIRMATION OF THEIR WILLINGNESS TO
PROVIDE ASSISTANCE IN DEVELOPING AN EFFECTIVE MARKET
ECONOMY IN UKRAINE;

- TAKING INTO ACCOUNT THAT IN ACCORDANCE WITH THE
PROCEDURE ENTHUSED "ON THE PROCEDURE FOR VERIFYING THE
DESTRUCTION OF NUCLEAR WEAPONS REMOVED FROM THE
TERRITORY OF UKRAINE TO INDUSTRIAL ENTERPRISES OF THE
RUSSIAN FEDERATION," REPRESENTATIVES OF THE MINISTRY OF
DEFENSE OF UKRAINE WILL VERIFY THE DISASSEMBLY AND
DESTRUCTION OF STRATEGIC NUCLEAR WEAPONS ON RUSSIAN
TERRITORY WHICH WILL PRECLUDE RE-USE OF COMPONENTS OF
THESE WEAPONS FOR THEIR ORIGINAL PURPOSE;

- ALSO TAKING INTO ACCOUNT RUSSIA'S OBLIGATIONS TO
ENSURE THE MAINTENANCE AND SAFE OPERATION OF NUCLEAR
WEAPONS;

- PROCEEDING FROM THE PREMISE THAT UKRAINE WILL
RECEIVE JUST COMPENSATION FOR THE VALUE OF
HIGHLY-ENRICHED URANIUM AND OTHER COMPONENTS OF ALL THE
NUCLEAR WEAPONS WHICH IT OWNS;

- TAKING INTO ACCOUNT THE AGREEMENT THAT THE RUSSIAN
FEDERATION AND THE UNITED STATES OF AMERICA WILL PROVIDE
JUST AND TIMELY COMPENSATION TO UKRAINE FOR THE VALUE OF
HIGHLY-ENRICHED URANIUM AS NUCLEAR WARHEADS ARE REMOVED
FROM UKRAINE TO RUSSIA FOR DISASSEMBLY; AND THAT THE
ACTS OF REMOVAL AND PROVISION OF COMPENSATION TO UKRAINE
WILL TAKE PLACE SIMULTANEOUSLY;

APPENDIX C: **Kuchma Issues Statement on Removal of** **Nuclear Weapons**

FBIS-SOV-96-107
3 June 1996

Ukraine: Kuchma Issues Statement on Removal of Nuclear Weapons

*LDO105193696 Kiev UT-1 Television Network
in Ukrainian 1800 GMT 1 Jun 96*

(FBIS Translated Text) Ukrainian President Leonid Kuchma today issued the following statement:

The withdrawal of strategic nuclear warheads from Ukraine was completed on 1 June 1996. By this, the Ukrainian state demonstrated to the world its commitment to the idea of global nuclear disarmament. The people of Ukraine once had to finance an exhausting nuclear arms race during the Cold War, at the expense of their own well-being and economic development. Having proclaimed itself the owner of nuclear weapons deployed in its territory and inherited from the former USSR, Ukraine regarded these weapons not as an active military force but, above all, as an asset that could, at least partially, compensate for its losses. No nuclear threat to mankind ever emerged from an independent Ukraine.

Guided by the same principle, the Ukrainian Supreme Council announced in the Declaration on State Sovereignty in 1990 that Ukraine would abide by three non-nuclear principles: non-deployment, non-production, and non-acquisition of nuclear weapons. This decision was later confirmed in all of Ukraine's documents and practical steps in the sphere of nuclear disarmament. The removal of the last nuclear warhead from Ukraine is the logical conclusion of this process and convincing proof that our policy is consistent and predictable. This historic event marks the timely and complete fulfillment of our country's obligations according to the trilateral statement of the U.S., Ukrainian, and Russian presidents on 14 January 1994, and represents Ukraine's considerable contribution to the disarmament process.

The complete elimination of nuclear weapons deployed on Ukrainian territory provides a unique opportunity to implement the idea of a nuclear-free Central and Eastern Europe from the Black Sea to the Baltic Sea. Its creation will promote the development of an atmosphere of trust among countries in the region and will considerably reduce the danger of new lines of division emerging on the European continent.

The people of Ukraine, who have experienced the distinctive consequences of the accident at the Chernobyl nuclear power plant, are all too well aware of the real threat of catastrophe posed by nuclear arms. That is why Ukraine is confident in its choice of a nuclear-free status and urges other countries, first of all the nuclear powers, to follow the same road and do their best to remove nuclear weapons from the face of our planet as soon as possible and forever.

APPENDIX D: Removal of Nuclear Warheads from Ukraine

THE WHITE HOUSE
Office of Press Secretary

For Immediate Release

June 1, 1996

STATEMENT BY THE PRESIDENT

Removal of Nuclear Warheads from Ukraine and Agreement on CFE Flank Issue

Ukrainian President Kuchma has announced that all nuclear warheads have been removed from the territory of Ukraine. This is a remarkable achievement. In 1991, there were more than 4000 strategic and tactical nuclear warheads in Ukraine. Today there are none. I applaud the Ukrainian government for its historic contribution in reducing the nuclear threat. When the Presidents of Ukraine, Russia and I signed the January 1994 Trilateral Statement on this issue, we looked forward to a day that has now arrived.

The trust and cooperation the United States and Ukraine have established in resolving this issue are a cornerstone of a broad and productive relationship. Ukraine has embarked on a bold course of political and economic reform, laying the foundations for democracy and a market economy. We remain committed to supporting Ukraine through its ambitious and far-sighted reforms and to working with Ukraine and our European partners to promote Ukraine's integration into the European community.

I also want to note the fact that both the United States and Russia are ahead of the reduction schedule provided for in the START I Treaty. To date, the United States has eliminated 750 strategic nuclear delivery vehicles, and about 800 strategic nuclear delivery vehicles in the former Soviet Union have been eliminated, including more than 700 in Russia. The Cooperative Threat Reduction (Nunn-Lugar) program has played a major role in the elimination of these weapons in the former Soviet Union and in the denuclearization of Ukraine.

I have asked Secretary Perry to meet next week with his Ukrainian and Russian counterparts, Ministers Shmarov and Grachev, and mark the successful implementation of the Trilateral Statement by visiting a destroyed ICBM silo and a former nuclear weapons storage facility in Ukraine. In doing so, they will celebrate another important step in making the world safer for us all.

On this day of important milestones, I also welcome the agreement that was reached today in Vienna by the 30 nations party to the

74 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

2

Conventional Forces in Europe (CFE) Treaty. This agreement resolves a difficult problem that had arisen concerning the level of Russian and Ukrainian military equipment allowed on the northern and southern flank of the CFE region.

This agreement is the culmination of two years of negotiations led by the United States. I congratulate all parties, including our NATO allies, Russia, Ukraine and the states of the Caucasus and Central and Eastern Europe, for their hard work, cooperation and dedication to preserving the integrity and effectiveness of this crucial Treaty.

The CFE Treaty is a key element of a new, more stable Europe. The Treaty has resulted in the destruction of over 50,000 tanks, armored combat vehicles, artillery pieces, combat aircraft and attack helicopters. It has also established a system of transparency measures, which will increase confidence through on-site inspections, notifications and information exchanges.

#

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

June 1, 1996

FACT SHEET

Removal of Nuclear Warheads from Ukraine

The U.S.-Russia-Ukraine Trilateral Statement and Annex were signed on January 14, 1994 in Moscow by Presidents Clinton, Yeltsin and Kravchuk. The Statement and Annex:

provided for the transfer of all nuclear weapons on the territory of Ukraine to Russia for dismantlement;

specified prompt compensation by Russia to Ukraine for the highly-enriched uranium in the transferred weapons;

provided for security assurances by the U.S., Russia and United Kingdom to Ukraine on Ukraine's accession to the Non-Proliferation Treaty as a non-nuclear weapon state; and

reaffirmed the U.S. commitment to assist the safe and secure dismantlement of nuclear forces through the Cooperative Threat Reduction (Nunn-Lugar) program.

The provisions of the Trilateral Statement and Annex are being implemented. When they were signed, there were some 1900 strategic nuclear warheads in Ukraine, most of which were on SS-19 and SS-24 ICBMs targeted at the U.S. As of June 1, there are none. (In addition, in 1991-97, some 2500 tactical nuclear weapons were transferred from Ukraine to Russia.) There were far more nuclear warheads on the territory of Ukraine than in any country other than the United States or Russia.

Russia is dismantling the removed nuclear warheads and has provided Ukraine compensation for the strategic nuclear warheads in the form of fuel rods for civilian nuclear power plants in Ukraine. These fuel rods are being delivered according to a schedule agreed to by Russia and Ukraine.

On December 5, 1994, Ukraine acceded to the Non-Proliferation Treaty as a non-nuclear weapon state. On that same date, the U.S., Russia and United Kingdom provided security assurances to Ukraine, and the START I Treaty also entered into force.

76 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

2

The Trilateral Statement noted the U.S. commitment of a minimum of \$175 million in Cooperative Threat Reduction (Nunn-Lugar) aid to Ukraine to assist denuclearization. As of the end of April 1996, the U.S. had notified CTR obligations for Ukraine totaling almost \$400 million, primarily for the elimination of strategic nuclear arms and nuclear infrastructure.

#

APPENDIX E: Map of Ukraine



APPENDIX F: **Ukraine's Nuclear Inheritance**

<u>ICBM's DELIVERY VEHICLES</u>		<u>WARHEADS</u>
SS-24	46	460
SS-19	<u>130</u>	<u>780</u>
	176	1,240
<u>BOMBERS</u>		
BEAR H	22	352
BLACKJACK	<u>20</u>	<u>240</u>
	42	592
Totals	218	1,832
<u>TACTICAL WEAPONS</u>		3,000

APPENDIX G: Chronology

July 16, 1990

Ukrainian Rada votes Declaration of State Sovereignty, pledging not to accept, produce or purchase nuclear weapons.

July 31, 1991

U.S. and Soviet Union sign START I Treaty.

August 24, 1991

Ukraine declares independence, subject to a December referendum.

October, 1991

Rada reaffirms its non-nuclear pledge of July, 1990, and commits to getting rid of nuclear weapons but that technical, financial and environmental needs would have to be addressed.

December 1, 1991

Ukrainian referendum overwhelmingly endorses independence. Leonid Kravchuk is elected President.

December 8, 1991

Commonwealth of Independent States (CIS) created by Russia, Ukraine and Belarus.

December 21, 1991

Alma Atay Agreement. The former Soviet nuclear republics agree that nuclear weapons can only be used by agreement by all four. Ukraine, Kazakhstan, and Belarus agree to withdraw tactical weapons to Russia by July 1, 1992.

82 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

December 25, 1991

President Gorbachev resigns, bringing an official end to the Soviet Union. U.S. recognizes Ukrainian independence.

December 30, 1991

Ukraine agrees at Minsk Commonwealth summit to dismantle its strategic nuclear forces by the end of 1994.

March 12, 1992

Ukraine suspends shipment of tactical nuclear weapons to Russia.

April 16, 1992

Ukraine and Russia form joint commission to supervise shipment of tactical weapons. Transfers resume.

May 7, 1992

During visit to Washington, President Kravchuk announces completion of tactical shipments to Russia.

May 23, 1992

Ukraine signs Lisbon Protocol making it an official party to the START I Treaty.

August 31, 1992

U.S. and Russia agree to compensation on HEU issue.

October 1, 1992

U.S. ratifies START I Treaty.

October 2, 1992

Undersecretary of State Frank Wisner visits Kiev to discuss deactivation proposals and security assurances.

November 4, 1992

Russia ratifies START I Treaty.

November 17, 1992

U.S.-Ukraine dialogue on contents of security assurances commences.

January 3, 1993
U.S. and Russia sign START II.

January 26, 1993
Ukraine and Russia begin talks on dismantling and eliminating strategic nuclear warheads.

April, 1993
162 Ukrainian Deputies issue statement declaring Ukraine a nuclear state.

May 9-10, 1993
Ambassador Strobe Talbott visits Kiev to restart U.S.-Ukraine relations.

June 7, 1993
Secretary of Defense Aspin visits Kiev to discuss deactivation.

July 2, 1993
Ukrainian Rada votes that Ukraine has ownership rights to the nuclear weapons.

July 10, 1993
Presidents Clinton and Yeltsin discuss in Tokyo need for a trilateral agreement with Ukraine to resolve the nuclear weapons issue.

July 15, 1993
Ukraine begins deactivating 10 ss-19 missiles.

September 3, 1993
Massandra Summit between Ukraine and Russia leads to agreements on Black Sea Fleet and nuclear dismantlement, most of which are disavowed by both sides later in the month.

October 19, 1993
Military Doctrine voted by Rada.

November 18, 1993
Rada ratifies START I Treaty with 13 conditions.

84 AMERICAN-UKRAINIAN NUCLEAR RELATIONS

January 14, 1994

U.S., Ukraine and Russia issue Trilateral Statement in Moscow committing Ukraine to denuclearization and outlining Ukrainian security assurances.

February 4, 1994

Rada ratifies START I Treaty dropping its reservations of November, 1993.

March 4-5, 1994

During President Kravchuk's visit to Washington, President Clinton announced \$700 million aid package divided between economic and nuclear dismantlement assistance.

November 16, 1994

Rada accedes to the NPT.

December 5, 1994

At CSCE meeting, President Kuchma presented Ukraine's accession to the NPT and exchanged instruments of START ratification, thereby putting the security assurances into place.

June 1, 1996

Last Ukrainian strategic nuclear warhead withdrawn to Russia.

ABOUT THE AUTHOR

Ambassador Roman Popadiuk, a career member of the Senior Foreign Service since 1981, served as Ambassador to Ukraine from 1992-1993. From 1993 to 1995 he was on the faculty of the School of Area Studies at the State Department's Foreign Service Institute. In August 1995, Ambassador Popadiuk assumed duties as International Affairs Advisor and senior civilian on the staff of the Commandant of the Industrial College of the Armed Forces, National Defense University.

In January 1989, President Bush appointed Ambassador Popadiuk to be Deputy Assistant to the President and Deputy Press Secretary for Foreign Affairs, a position he held until 1992. In President Reagan's administration, he served as an Assistant Press Secretary from July 1986 until March 1988, when he became Special Assistant to the President and Deputy Press Secretary for Foreign Affairs. In October of that year, the President appointed him a Deputy Assistant.

Ambassador Popadiuk graduated from Hunter College and received his Ph.D. from the Graduate Center of the City University of New York.

McNair Papers

The McNair Papers are published at Fort Lesley J. McNair, home of the Institute for National Strategic Studies and the National Defense University. An Army post since 1794, the fort was given its present name in 1948 in honor of Lieutenant General Lesley James McNair. General McNair, known as "Educator of the Army" and trainer of some three million troops, was about to take command of Allied ground forces in Europe under Eisenhower, when he was killed in combat in Normandy, 25 July 1944.

The following is a complete listing of published McNair Papers. For information on availability of specific titles, contact the Distribution Manager, Publications Directorate & NDU Press, Fort McNair, Washington, DC 20319-5066 (telephone: commercial 202/685-4379; DSN 325-4379).

1. Joseph P. Lorenz, *Egypt and the New Arab Coalition*, February 1989.
2. John E. Endicott, *Grand Strategy and the Pacific Region*, May 1989.
3. Eugene V. Rostow, *President, Prime Minister, or Constitutional Monarch?* October 1989.
4. Howard G. DeWolf, *SDI and Arms Control*, November 1989.
5. Martin C. Libicki, *What Makes Industries Strategic*, November 1989.
6. Melvin A. Goodman, *Gorbachev and Soviet Policy in the Third World*, February 1990.
7. John Van Oudenaren, "The Tradition of Change in Soviet Foreign Policy," and Francis Conte, "Two Schools of Soviet Diplomacy," in *Understanding Soviet Foreign Policy*, April 1990.
8. Max G. Manwaring and Court Prisk, *A Strategic View of Insurgencies: Insights from El Salvador*, May 1990.
9. Steven R. Linke, *Managing Crises in Defense Industry: The PEPCON and Avtex Cases*, June 1990.
10. Christine M. Helms, *Arabism and Islam: Stateless Nations and Nationless States*, September 1990.
11. Ralph A. Cossa, *Iran: Soviet Interests, US Concerns*, July 1990.
12. Ewan Jamieson, *Friend or Ally? A Question for New Zealand*, May 1991.
13. Richard J. Dunn III, *From Gettysburg to the Gulf and Beyond: Coping with Revolutionary Technological Change in Land Warfare*, March 1992.
14. Ted Greenwood, *U.S. and NATO Force Structure and Military Operations in the Mediterranean*, June 1993.
15. Oscar W. Clyatt, Jr., *Bulgaria's Quest for Security After the Cold War*, February 1993.

16. William C. Bodie, *Moscow's "Near Abroad": Security Policy in Post-Soviet Europe*, June 1993.
17. William H. Lewis (ed.), *Military Implications of United Nations Peacekeeping Operations*, June 1993.
18. Sterling D. Sessions and Carl R. Jones, *Interoperability: A Desert Storm Case Study*, July 1993.
19. Eugene V. Rostow, *Should Article 43 of the United Nations Charter Be Raised From the Dead?* July 1993
20. William T. Johnsen and Thomas Durell-Young; Jeffrey Simon; Daniel N. Nelson; William C. Bodie, and James McCarthy, *European Security Toward the Year 2000*. August 1993.
21. Edwin R. Carlisle, ed., *Developing Battlefield Technologies in the 1990s*, August 1993.
22. Patrick Clawson, *How Has Saddam Hussein Survived? Economic Sanctions, 1990-93*, August 1993.
23. Jeffrey Simon, *Czechoslovakia's "Velvet Divorce," Visegrad Cohesion, and European Fault Lines*, October 1993.
24. Eugene V. Rostow, *The Future of Palestine*, November 1993.
25. William H. Lewis, John Mackinlay, John G. Ruggie, and Sir Brian Urquhart, *Peacekeeping: The Way Ahead?* November 1993.
26. Edward Marks and William Lewis, *Triage for Failing States*, January 1994.
27. Gregory D. Foster, *In Search of a Post-Cold War Security Structure*, February 1994.
28. Martin C. Libicki, *The Mesh and the Net: Speculations on Armed Conflict in a Time of Free Silicon*, March 1994.
29. Patrick Clawson, ed., *Iran's Strategic Intentions and Capabilities*, April 1994.
30. James W. Morrison, *Vladimir Zhirinovskiy: An Assessment of a Russian Ultra-Nationalist*, April 1994.
31. Patrick M. Cronin and Michael J. Green, *Redefining the U.S.-Japan Alliance: Tokyo's National Defense Program*, November 1994.
32. Scott W. Conrad, *Moving the Force: Desert Storm and Beyond*, December 1994.
33. John N. Petrie, *American Neutrality in the 20th Century: The Impossible Dream*, January 1995.
34. James H. Brusstar and Ellen Jones, *The Russian Military's Role in Politics*, January 1995.
35. S. Nelson Drew, *NATO from Berlin to Bosnia: Trans-Atlantic Security in Transition*, January 1995.
36. Karl W. Eikenberry, *Explaining and Influencing Chinese Arms Transfers*, February 1995.
37. William W. Mendel and David G. Bradford, *Interagency Cooperation: A Regional Model for Overseas Operations*, March 1995.

38. Robbin Laird, *French Security Policy in Transition: Dynamics of Continuity and Change*, March 1995.
39. Jeffrey Simon, *Central European Civil-Military Relations and NATO Expansion*, April 1995.
40. James W. Morrison, *NATO Expansion and Alternative Future Security Alignments in Europe*, April 1995.
41. Barry R. Schneider, *Radical Responses to Radical Regimes: Evaluating Preemptive Counter-Proliferation*, May 1995.
42. John Jaworsky, *Ukraine: Stability and Instability*, July 1995.
43. Ronald Tiersky, *The Mitterrand Legacy and the Future of French Security Policy*, August 1995.
44. John A. Cope, *International Military Education and Training: An Assessment*, October 1995.
45. Elli Lieberman, *Deterrence Theory: Success or Failure in Arab-Israeli Wars?* October 1995.
46. Stanley R. Sloan, *NATO's Future: Beyond Collective Defense*, December 1995.
47. M. E. Ahrari, *The New Great Game in Muslim Central Asia*, January 1996.
48. Mark J. Roberts, *Khomeini's Incorporation of the Iranian Military*, January 1996.
49. Steven Philip Kramer and Irene Kyriakopoulos, *Trouble in Paradise? Europe in the 21st Century*, March 1996.
50. Alan L. Gropman, *Mobilizing U.S. Industry in World War II: Myth and Reality*, August 1996.
51. Ralph A. Cossa, *The Major Powers in Northeast Asian Security*, September 1996.
52. Barry D. Watts, *Clausewitzian Friction and Future War*, October 1996.
53. Donna Lee Van Cott, *Defiant Again: Indigenous Peoples and Latin American Security*, October 1996.
54. Ivelaw L. Griffith, *Caribbean Security on the Eve of the 21st Century*, October 1996.

**The Institute for
National Strategic Studies**
is pleased to announce
a new program of
electronic publication!

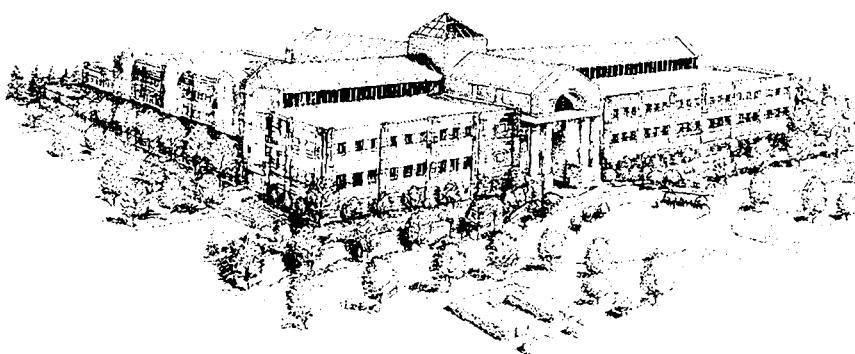
Publications available now include

Strategic Forums
McNair Papers
Strategic Assessment
Selected Books
NDU Press Book Catalogue

New titles are being added every month

Electronic publications can
be found on the World Wide Web
at the award-winning NDU Home Page:
<http://www.ndu.edu>

For direct access to
publications only, use
<http://www.ndu.edu/cgi-bin/wais>



**INSTITUTE FOR NATIONAL STRATEGIC STUDIES
NATIONAL DEFENSE UNIVERSITY**